

SA 2232. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

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SA 2234. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2235. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2236. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2237. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

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SA 2240. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2241. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2242. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2243. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2244. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2245. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2246. Mr. KENNEDY (for himself, Mr. HARKIN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2247. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2248. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2249. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2250. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2251. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2252. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2253. Mr. GREGG (for himself and Mr. GRASSLEY) proposed an amendment to the bill H.R. 3010, supra.

SA 2254. Mr. DODD (for himself, Mr. KENNEDY, Mrs. CLINTON, Mrs. MURRAY, Mr. KERRY, Mr. LAUTENBERG, Mr. CORZINE, Mr. DURBIN, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2255. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2256. Mr. OBAMA (for himself, Mr. BYRD, Mr. BAYH, Ms. MIKULSKI, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2257. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2258. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2259. Mr. SMITH (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2260. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2261. Mr. COLEMAN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2262. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2263. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2264. Mr. COLEMAN (for himself and Mr. BAYH) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2265. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2266. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2267. Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 2211.** Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_.(a) Notwithstanding any other provision of law, \$125,000,000 shall be available and shall remain available until ex-

ended to replace the funds appropriated but not expended under chapter 8 of division B of the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 (Public Law 107-117), and of such amount, \$50,000,000 shall be made available for payment to the New York State Uninsured Employers Fund for reimbursement of claims related to the terrorist attacks of September 11, 2001 and for reimbursement of claims related to the first response emergency services personnel who were injured, were disabled, or died due to such terrorist attacks, and \$75,000,000 shall be made available to the Centers for Disease Control and Prevention upon enactment of this Act, and shall remain available until expended, for purposes related to the September 11, 2001 terrorist attacks. In expending such funds, the Director of the Centers for Disease Control and Prevention shall give first priority to the existing programs coordinated by the Mount Sinai Center for Occupational and Environmental Medicine, the Fire Department of New York City Bureau of Health Services and Counseling Services Unit, the New York City Police Foundation's Project COPE, Police Organization Providing Peer Assistance, and the New York City Department of Health and Mental Hygiene World Trade Center Health Registry that administer baseline and follow-up screening, clinical examinations, or long-term medical health monitoring, analysis, or treatment for emergency services personnel or rescue and recovery personnel, and shall give secondary priority to similar programs coordinated by other entities working with the State of New York and New York City.

(b) The amounts provided under subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

**SA 2212.** Mr. OBAMA (for himself, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, Mr. DODD, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

**SEC. \_\_\_\_.** THURGOOD MARSHALL LEGAL EDUCATIONAL OPPORTUNITY PROGRAM AND POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.

(a) INCREASES.—In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$3,500,000 for subpart 3 of part A of title VII of the Higher Education Act of 1965 (20 U.S.C. 1136 et seq.), and an additional \$1,000,000 to the Office of Special Education Programs of the Department of Education for the expansion of positive behavioral interventions and supports.

(b) OFFSET FROM CONSULTING SERVICES.—Notwithstanding any other provision of this Act, amounts made available for the Department of Health and Human Services for consulting services under this Act shall be reduced by \$4,500,000.

(c) REPORT ON THURGOOD MARSHALL LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.—Not later than September 30, 2006, the Secretary of Education shall prepare and submit to Congress a report on the evaluation data regarding the educational and professional performance of individuals who have participated, during fiscal year 2006 or any preceding year, in the program under subpart 3

of part A of title VII of the Higher Education Act of 1965 (20 U.S.C. 1136 et seq.).

**SA 2213.** Mr. KENNEDY (for himself, Mrs. CLINTON, Mr. SCHUMER, Mr. LIEBERMAN, Ms. MIKULSKI, Mr. KERRY, Mr. REID, Mr. LAUTENBERG, Mr. DAYTON, Ms. CANTWELL, Mr. KOHL, Mr. BINGAMAN, Mr. DURBIN, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. DODD, Mrs. FEINSTEIN, Mr. REED, and Mr. CORZINE) proposed an amendment to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), insert the following:

SEC. \_\_\_\_\_. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, \$836,000,000 for carrying out subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070). Such additional appropriation shall be used to increase the maximum Pell Grant for which a student shall be eligible during award year 2006-2007 by \$200 to \$4,250, notwithstanding the maximum Pell Grant amount provided under the heading "STUDENT FINANCIAL ASSISTANCE" under this title.

**SA 2214.** Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

After section 221, insert the following:

SEC. 222. For carrying out the Low-Vision Rehabilitation Services Demonstration Project by the Secretary of Health and Human Services, an additional \$5,000,000: *Provided*, That funds made available for general department management under the heading General Department Management under the heading Office of the Secretary are reduced by \$5,000,000.

**SA 2215.** Mr. SUNUNU submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. Amounts appropriated in this title for community health center programs under section 330 of the Public Health Service Act (42 U.S.C. 254b) shall be increased by \$198,560,000. Notwithstanding any other provision of this Act, amounts appropriated under this Act shall be reduced on a pro rata basis by \$198,560,000.

**SA 2216.** Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II (before the short title), add the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to implement any strategic plan under section 3 of Executive Order 13335 (regarding interoperable health information technology) that lacks a provision that requires the Department of Health and Human Services to give notice to any patient whose information maintained by the Department under the strategic plan is lost, stolen, or used for a purpose other than the purpose for which the information was collected.

**SA 2217.** Mr. NELSON of Florida (for himself, Mr. FEINGOLD, and Mr. CORZINE) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

After section 221, insert the following:

SEC. 222. (a) The Comptroller General of the United States shall conduct a study to—

(1) examine—

(A) the cost savings that have occurred in States that currently have programs in place for the recycling or reusing of medications that have been dispensed to, but not used by, an inpatient of a long-term care facility; and

(B) the potential for the expansion of such programs to other States;

(2) identify measures that could be put in place to maximize cost savings under the programs described in paragraph (1);

(3) identify—

(A) the potential safety concerns raised by such programs; and

(B) the rate of medication error and adverse events under such programs; and

(4) identify—

(A) safety procedures currently used under such programs;

(B) additional safety procedures that could be put in place to eliminate the safety concerns identified under paragraph (3); and

(C) the infrastructure or resources necessary to implement such additional safety procedures.

(b) Not later than the date that is 12 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), together with such recommendations for legislative or administrative action as the Comptroller General determines to be appropriate.

**SA 2218.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. \_\_\_\_\_. In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$18,500,000 to carry out part G of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6531 et seq.).

**SA 2219.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making ap-

propriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

SEC. \_\_\_\_\_. (a) In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$4,900,000 to carry out part H of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6551 et seq.).

(b) Notwithstanding any other provision of this Act, the amounts made available for administrative expenses and salaries for the Department of Education under this Act shall be reduced by \$4,900,000.

**SA 2220.** Mrs. MURRAY submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 153, between lines 17 and 18, insert the following:

In addition, for making payments to States for the provision of coverage for prescription drugs under State Medicaid plans (notwithstanding section 1935(d)(1) of the Social Security Act) or under separate drug assistance programs to individuals who have attained age 65 or are disabled, and whose income does not exceed 150 percent of the national poverty level or who are eligible for medical assistance under the State Medicaid plan under a "medically needy" or other "spend down" eligibility category, including such individuals who are eligible for benefits under titles XVIII and XIX of the Social Security Act, receiving assistance under a State drug assistance program, or receiving coverage under an AIDS Drug Assistance Program, to ensure that such individuals do not lose coverage for prescription drugs or suffer a gap in such coverage due to the implementation of the Medicare prescription drug benefit under part D of title XVIII of such Act, and for making payments to providers of items and services under the State Medicaid plan, including pharmacists, community health centers, rural health clinics, hospitals, critical access hospitals, and physicians, for reimbursement of uncompensated costs associated with the provision of medically necessary drugs for such individuals, \$2,000,000,000: *Provided*, That a State shall not receive such payments unless the State notifies the Centers for Medicare and Medicaid Services, not later than December 31, 2005, of the State's plan for the provision of such coverage: *Provided further*, That a State shall not receive such payments unless the State notifies such individuals and providers of the availability of such coverage: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

**SA 2221.** Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy,

to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII of division B, add the following:

**SEC. 2887. TRANSFER TO REDEVELOPMENT AUTHORITIES WITHOUT CONSIDERATION OF PROPERTY LOCATED AT MILITARY INSTALLATIONS CLOSED OR REALIGNED UNDER 2005 ROUND OF DEFENSE BASE CLOSURE AND REALIGNMENT.**

(a) OPTION ON TRANSFER OF REAL PROPERTY AND FACILITIES.—Paragraph (2)(C) of section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) by inserting “(i)” after “(C)”; and  
(2) by adding at the end the following new clause:

“(ii) In the case of any real property or facilities located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property or facilities that would otherwise be transferred to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or would otherwise be transferred to another Federal agency—

“(I) the Secretary shall, unless the Secretary determines that a transfer of such property or facilities to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or to the Department of Homeland Security, is necessary in the national security interest of the United States, instead offer to transfer such property or facilities to the redevelopment authority with respect to such installation; and

“(II) if the redevelopment authority accepts the offer, transfer such property or facilities to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).”.

(b) OPTION ON TRANSFER OF PERSONAL PROPERTY.—Paragraph (3) of such section is amended—

(1) in subparagraph (C)(i), by striking “subparagraphs (E) and (F)” and inserting “subparagraphs (F) and (G)”; and

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(3) by inserting after subparagraph (D) the following new subparagraph (E):

“(E) In the case of any personal property located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property that is determined pursuant to the inventory under subparagraph (A)(i) to be excess property that would otherwise be transferred to another Federal agency under subchapter II of chapter 5 of title 40, United States Code, pursuant to the authority in paragraph (1)(A)—

“(i) the Secretary shall, unless the Secretary determines that a transfer of such property to a military department or other entity within the Department of Defense or the Coast Guard, or to the Department of Homeland Security, is necessary in the national security interest of the United States, instead offer to transfer such property to the redevelopment authority with respect to such installation; and

“(ii) if the redevelopment authority accepts the offer, transfer such property to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).”.

(c) ECONOMIC REDEVELOPMENT.—Paragraph (4)(A) of such section is amended by striking “purposes of job generation” and inserting

“purposes of economic redevelopment or job generation”.

(d) CONFORMING CHANGE.—Paragraph (4)(B) of such section is amended—

(1) by striking “shall seek” and all that follows through “with respect to the installation” and inserting the following: “may not obtain consideration in connection with any transfer under this paragraph of property located at the installation. The redevelopment authority to which such property is transferred shall”; and

(2) in clause (i), by striking “agrees” and inserting “agree”; and

(3) in clause (ii)—

(A) by striking “executes” and inserting “execute”; and

(B) by striking “accepts” and inserting “accept”.

**SA 2222.** Mr. INOUE (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_ (a) The Headquarters and Emergency Operations Center Building (Building 21) at the Centers for Disease Control and Prevention is hereby renamed as the Arlen Specter Headquarters and Emergency Operations Center.

(b) The Global Communications Center Building (Building 19) at the Centers for Disease Control and Prevention is hereby renamed as the Thomas R. Harkin Global Communications Center.

**SA 2223.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), insert the following:

SEC. \_\_\_\_ In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$15,000,000 to carry out subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7111 et seq.).

**SA 2224.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), add the following:

SEC. \_\_\_\_ The Secretary of Education shall conduct a study to evaluate the effectiveness of violence prevention programs receiving funding under the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.) based on, among other things, evidence of deterrent effect, strong research design, sustained effects, and multiple site replication. The study shall also include information on what regular assessment mechanisms exist to allow the Department of Education to evaluate the efficacy of such programs on an ongoing basis. Not later than 18 months after the date of enactment of this

Act, the Secretary of Education shall submit a report to Congress describing the findings of the study.

**SA 2225.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 196, strike line 14 and insert the following:

tional poverty level: *Provided further*, That the Corporation shall use a portion of the funds made available under this heading to conduct an evaluation, after consultation with experts on national service programs and rural community leaders, of programs carried out under the national service laws (consisting of that Act and the National and Community Service Act of 1990) in rural areas, to determine utilization of the programs and to develop new and innovative strategies that would prioritize geographic diversity of the programs carried out under the national service laws to increase the presence of the programs in rural areas.

**SA 2226.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title III (before the short title), insert the following:

**SEC. \_\_\_\_ APPLICATIONS FOR IMPACT AID PAYMENT.**

Notwithstanding paragraphs (2) and (3) of section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)(2) and (3)), the Secretary of Education shall treat as timely filed, and shall process for payment, an application under section 8002 or section 8003 of such Act (20 U.S.C. 7702, 7703) for fiscal year 2005 from a local educational agency—

(1) that, for each of the fiscal years 2000 through 2004, submitted an application by the date specified by the Secretary of Education under section 8005(c) of such Act for the fiscal year;

(2) for which a reduction of more than \$1,000,000 was made under section 8005(d)(2) of such Act by the Secretary of Education as a result of the agency's failure to file a timely application under section 8002 or 8003 of such Act for fiscal year 2005; and

(3) that submits an application for fiscal year 2005 during the period beginning on February 2, 2004, and ending on the date of enactment of this Act.

**SA 2227.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 22, before the period, insert the following: “: *Provided further*, the Centers for Disease Control and Prevention shall use not more than \$10,000,000 of funds provided under this heading to offer to enter into a contract with 1 or more eligible organizations to establish a Global Network for Avian Influenza Surveillance”.

**SA 2228.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate scientific information that is deliberately false or misleading.

**SA 2229.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) Notwithstanding any other provision of this Act, amounts not required by law provided in this Act for fiscal year 2006 are reduced by 5 percent.

(b) Any reduction made under this section shall be applied proportionately to each discretionary account and each item of budget authority covered by this Act, and within each account and item, to each program, project, and activity.

(c) Notwithstanding subsection (a), the President, in consultation with the Chairman and Ranking Member of the applicable authorizing committees of the Congress, may except certain programs, projects, and accounts, in whole or in part, from a reduction required by subsection (a), provided that such exceptions do not, in the aggregate, exceed an amount equal to 1 percent of the overall reduction.

**SA 2230.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

**SEC. 517. LIMITATION ON FUNDING FOR CONFERENCES.**

(a) DEPARTMENT OF LABOR.—Of the funds made available for the Department of Labor under the heading “Departmental Management, Salaries and Expenses” in title I, not to exceed \$2,000,000 shall be available for expenses related to conferences, including for conference programs, staff time, travel costs, and related expenses.

(b) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—Of the funds made available for the Department of Health and Human Services under the heading “Office of the Secretary, General Departmental Management” in title II, not to exceed \$25,000,000 shall be

available for expenses related to conferences, including for conference programs, staff time, travel costs, and related expenses.

(c) DEPARTMENT OF EDUCATION.—Of the funds made available for the Department of Education under the heading “Departmental Management, Program Administration” in title III, not to exceed \$2,000,000 shall be available for expenses related to conferences, including for conference programs, staff time, travel costs, and related expenses.

**SA 2231.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying H.R. 3010 shall also be included in the conference report or joint statement accompanying H.R. 3010 in order to be considered as having been approved by both Houses of Congress.

**SA 2232.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 139, line 16, insert after the colon the following: “*Provided further*, That in addition to amounts otherwise made available for State AIDS Drug Assistance Programs authorized by such section 2616, the Secretary shall transfer \$60,000,000 from the amount appropriated under this Act for the construction and renovation of the facilities of the Centers for Disease Control and Prevention to carry out such Drug Assistance Programs.”.

**SA 2233.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Notwithstanding any other provision of this Act, none of the funds appropriated in this Act may be used for any activities associated with HIV Vaccine Awareness Day.

**SA 2234.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

SEC. 517. None of the funds provided under this Act may be used by the Department of

Health and Human Services or the Department of Education for programs and activities not in compliance with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note, Public Law 107-300), including programs and activities under the Temporary Assistance for Needy Families Program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Foster Care and Adoption Assistance Program under part E of title IV of such Act (42 U.S.C. 670 et seq.), the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.), the State Children’s Health Insurance Program under title XXI of such Act (42 U.S.C. 1397aa et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and title I of the Elementary and Secondary Education Act of 1965.

**SA 2235.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 182, line 4, strike “, and” and all that follows through “Hawaiian law” on line 6.

**SA 2236.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) No funds appropriated under this Act may be provided to hospitals or other facilities at which partial-birth abortions are performed.

(b) Subsection (a) shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself.

(c) In this section, the term “partial-birth abortion” means an abortion in which the person performing the abortion—

(1) deliberately and intentionally vaginally delivers a living fetus until, in the case of a head-first presentation, the entire fetal head is outside the body of the mother, or, in the case of breech presentation, any part of the fetal trunk past the navel is outside the body of the mother, for the purpose of performing an overt act that the person knows will kill the partially delivered living fetus; and

(2) performs the overt act, other than completion of delivery, that kills the partially delivered living fetus.

**SA 2237.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. PROMOTION OF FAMILY FORMATION AND HEALTHY MARRIAGE.**

(a) STATE PLANS.—Section 402(a)(1)(A) of the Social Security Act (42 U.S.C.

602(a)(1)(A)) is amended by adding at the end the following:

“(vii) Encourage equitable treatment of healthy 2-parent married families under the program referred to in clause (i).”.

(b) HEALTHY MARRIAGE PROMOTION GRANTS; REPEAL OF BONUS FOR REDUCTION OF ILLEGITIMACY RATIO.—Section 403(a)(2) of such Act (42 U.S.C. 603(a)(2)) is amended to read as follows:

“(2) HEALTHY MARRIAGE PROMOTION GRANTS.—

“(A) AUTHORITY.—

“(i) IN GENERAL.—The Secretary shall award competitive grants to States and Indian tribes [and tribal organizations] for not more than 50 percent of the cost of developing and implementing innovative programs to promote and support healthy 2-parent married families.

“(ii) USE OF OTHER TANF FUNDS.—A State or Indian tribe with an approved tribal family assistance plan may use funds provided under other grants made under this part for all or part of the expenditures incurred for the remainder of the costs described in clause (i). In the case of a State, any such funds expended shall not be considered qualified State expenditures for purposes of section 409(a)(7).

“(B) HEALTHY MARRIAGE PROMOTION ACTIVITIES.—Funds provided under subparagraph (A) and corresponding State matching funds shall be used to support any of the following programs or activities:

“(i) Public advertising campaigns on the value of marriage and the skills needed to increase marital stability and health.

“(ii) Education in high schools on the importance of healthy marriages and the characteristics of other healthy relationships experienced throughout life, including education on the importance of grounding all relationships in mutual respect and how earlier healthy relationships are the building blocks for later healthy marital relationships.

“(iii) Marriage education, marriage skills, and relationship skills programs, that may include parenting skills, financial management, conflict resolution, and job and career advancement, for non-married pregnant women, non-married expectant fathers, and non-married recent parents.

“(iv) Pre-marital education and marriage skills training for engaged couples and for couples or individuals interested in marriage.

“(v) Marriage enhancement and marriage skills training programs for married couples.

“(vi) Divorce reduction programs that teach relationship skills.

“(vii) Marriage mentoring programs which use married couples as role models and mentors.

“(viii) Programs to reduce the disincentives to marriage in means-tested aid programs, if offered in conjunction with any activity described in this subparagraph.

“(C) VOLUNTARY PARTICIPATION.—

“(i) IN GENERAL.—Participation in programs or activities described in any of clauses (iii) through (vii) of subparagraph (B) shall be voluntary.

“(ii) ASSURANCE OF INFORMED CONSENT AND OPTION TO DISENROLL.—Each State or Indian tribe or tribal organization that carries out programs or activities described in any of clauses (iii) through (vii) of subparagraph (B) shall provide the Secretary with an assurance that each recipient of assistance under a State or tribal program funded under this part who elects to participate in such programs or activities shall be informed, prior to making such election—

“(I) that such participation is voluntary;

“(II) that the recipient may elect at any time to disenroll from such programs or ac-

tivities by notifying the State or Indian tribe or tribal organization that the recipient no longer wants to participate in such programs or activities;

“(III) of the process, if any, by which a recipient who chooses to withdraw from, or fails to participate in, such programs or activities may be required to follow to become engaged in other programs or activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B); and

“(IV) that the State may reassign a recipient at any time to other activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B).

“(iii) NO SANCTION FOR REFUSAL OR FAILURE TO PARTICIPATE.—

“(I) IN GENERAL.—No State or Indian tribe shall deny or reduce assistance to a recipient of assistance under a State or tribal program funded under this part solely on the basis of the recipient's withdrawal from, or failure to, participate in programs or activities described in clauses (iii) through (vii) of subparagraph (B).

“(II) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as precluding a State or Indian tribe from requiring a recipient of assistance under a State or tribal program funded under this part to engage in programs or activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B) or to sanction a recipient for failure to engage in such programs or activities or to follow any such procedures the State may establish to enroll a recipient in such other programs or activities.

“(D) GENERAL RULES GOVERNING USE OF FUNDS.—The rules of section 404, other than subsection (b) of that section, shall not apply to a grant made under this paragraph.

“(E) REQUIREMENTS FOR RECEIPT OF FUNDS.—A State or Indian tribe or tribal organization may not be awarded a grant under this paragraph unless the State or Indian tribe or tribal organization, as a condition of receiving funds under such a grant—

“(i) consults with domestic violence organizations that have demonstrated expertise working with survivors of domestic violence in developing policies, procedures, programs and training necessary to appropriately address domestic violence in families served by programs and activities funded under such grant;

“(ii) describes in the application for a grant under this paragraph—

“(I) how the programs or activities proposed to be conducted will appropriately address issues of domestic violence; and

“(II) what the State or Indian tribe or tribal organization, will do, to the extent relevant, to ensure that participation in such programs or activities is voluntary, and to inform potential participants that their involvement is voluntary;

“(iii) establishes a written protocol for providers and administrators of programs and activities relevant to the grant that—

“(I) provides for helping identify instances or risks of domestic violence; and

“(II) specifies the procedures for making service referrals and providing protections and appropriate assistance for identified individuals and families;

“(iv) establishes performance goals for funded programs and activities that clarify the primary objective of such funded programs and activities is to increase the incidence and quality of healthy marriages and not solely to expand the number or percentage of married couples; and

“(v) submits the annual reports required under subparagraph (F).

“(F) ANNUAL REPORTS TO THE SECRETARY.—Each State and Indian tribe or tribal organization awarded a grant under this paragraph shall submit to the Secretary an annual report on the programs and activities funded under the grant that includes the following:

“(i) A description of the written protocols developed in accordance with the requirements of subparagraph (E)(iii) for each program or activity funded under the grant and how such protocols are used, including specific policies and procedures for addressing domestic violence issues within each program or activity funded under the grant and how confidentiality issues are addressed.

“(ii) The name of each individual, organization, or entity that was consulted in the development of such protocols.

“(iii) A description of each individual, organization, or entity (if any) that provided training on domestic violence for the State, Indian tribe or tribal organization, or for any subgrantees.

“(iv) A description of any implementation issues identified with respect to domestic violence and how such issues were addressed.

“(G) BIENNIAL REPORTS TO CONGRESS.—Not later than 24 months after the date of enactment of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006, and every 6 months thereafter, the Secretary shall submit to Congress a report regarding the programs and activities funded with grants awarded under this paragraph. Each report submitted in accordance with this subparagraph shall include the following:

“(i) The name of each program or activity funded with such grants and the name of each grantee and subgrantee.

“(ii) The total number of individuals served under programs or activities funded under the grant.

“(iii) The total number of individuals who—

“(I) completed a program or activity funded under the grant, including the number of such individuals who received assistance under a State or tribal program funded under this part or with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) while participating in such program or activity; and

“(II) did not complete such a program or activity, including due to ceasing to receive assistance under a State or tribal program funded under this part or with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) or for other reasons.

“(iv) A description of the types of services offered under such programs or activities.

“(v) The criteria for selection of programs or activities to be funded under such grant with respect to the award of grants by the Secretary and the awarding of funds to subgrantees.

“(vi) A description of the activities carried out by the Secretary to support grantees and subgrantees in responding to domestic violence issues.

“(v) A summary of the written domestic violence protocols used by grantees and subgrantees.

“(vii) A summary of who the grantees and subgrantees consulted with in developing such protocols.

“(viii) A summary of the training provided to grantees and subgrantees on domestic violence.

“(ix) A list of the organizations, entities, and activities funded under section 413(k).

“(H) DOMESTIC VIOLENCE DEFINED.—In this paragraph, the term ‘domestic violence’ has the meaning given that term in section 402(a)(7)(B).

“(I) APPROPRIATION.—

“(i) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise

appropriated, there are appropriated for each of fiscal years 2006 through 2011, \$100,000,000 for grants under this paragraph.

“(ii) EXTENDED AVAILABILITY OF FUNDS.—

“(I) IN GENERAL.—Funds appropriated under clause (i) for each of fiscal years 2006 through 2011 shall remain available to the Secretary until expended.

“(II) AUTHORITY FOR GRANT RECIPIENTS.—A State or Indian tribe or tribal organization may use funds made available under a grant awarded under this paragraph without fiscal year limitation pursuant to the terms of the grant.”.

(c) COUNTING OF SPENDING ON NON-ELIGIBLE FAMILIES TO PREVENT AND REDUCE INCIDENCE OF OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION AND MAINTENANCE OF HEALTHY 2-PARENT MARRIED FAMILIES, OR ENCOURAGE RESPONSIBLE FATHERHOOD.—Section 409(a)(7)(B)(i) of such Act (42 U.S.C. 609(a)(7)(B)(i)) is amended by adding at the end the following:

“(V) COUNTING OF SPENDING ON NON-ELIGIBLE FAMILIES TO PREVENT AND REDUCE INCIDENCE OF OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION AND MAINTENANCE OF HEALTHY 2-PARENT MARRIED FAMILIES, OR ENCOURAGE RESPONSIBLE FATHERHOOD.—Subject to subclauses (II) and (III), the term ‘qualified State expenditures’ includes the total expenditures by the State during the fiscal year under all State programs for a purpose described in paragraph (3) or (4) of section 401(a).”.

(d) PURPOSES.—Section 401(a)(4) of such Act (42 U.S.C. 601(a)(4)) is amended by striking “two-parent families” and inserting “healthy 2-parent married families, and encourage responsible fatherhood”.

(e) SECRETARY’S FUND FOR RESEARCH, DEMONSTRATIONS, AND TECHNICAL ASSISTANCE.—Section 413 of such Act (42 U.S.C. 613) is amended by adding at the end the following: “(k) FUNDING FOR RESEARCH, DEMONSTRATIONS, AND TECHNICAL ASSISTANCE.—

“(1) APPROPRIATION.—

“(A) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$80,000,000 for each of fiscal years 2006 through 2011, which shall remain available to the Secretary until expended.

“(B) USE OF FUNDS.—

“(i) IN GENERAL.—Funds appropriated under subparagraph (A) for a fiscal year shall be expended for the purpose of conducting or supporting research and demonstration projects by public or private entities in connection with activities described in section 403(a)(2)(B), or for providing technical assistance in connection with such activities, to States, Indian tribal organizations, sub-State entities, and such other entities as the Secretary may specify.

“(ii) AMOUNTS IN ADDITION TO OTHER FUNDS.—Funds appropriated under subparagraph (A) and expended in accordance with this subsection shall be in addition to any other funds made available under this part for activities described in section 403(a)(2)(B).

“(2) SECRETARY’S AUTHORITY.—The Secretary may conduct activities authorized by this subsection directly or through grants, contracts, or interagency agreements with public or private entities.

“(3) REQUIREMENT FOR USE OF FUNDS.—The Secretary shall not pay any funds appropriated under paragraph (1)(A) to an entity for the purpose of conducting or supporting research and demonstration projects involving activities described in section 403(a)(2)(B) unless the entity, as a condition of receiving funds under such a grant—

“(A) describes in the application for a grant under this subsection—

“(i) how the programs or activities proposed to be conducted will appropriately address issues of domestic violence; and

“(ii) what the organization will do to ensure that participation in such programs or activities is voluntary, in accordance with the provisions of section 403(a)(2)(C), and to inform potential participants that their involvement is voluntary; and

“(B) establishes a written protocol for providers and administrators of programs and activities relevant to the grant that—

“(i) provides for helping identify instances or risks of domestic violence; and

“(ii) specifies the procedures for making service referrals and providing protections and appropriate assistance for identified individuals and families.”.

(f) REDUCTION IN BONUS TO REWARD HIGH PERFORMANCE STATES.—Section 403(a)(4) of the Social Security Act (42 U.S.C. 603(a)(4)) is amended—

(1) in subparagraph (D)(ii)—

(A) in subclause (I), by striking “\$200,000,000” and inserting “\$120,000,000”; and

(B) in subclause (II), by striking “\$1,000,000,000” and inserting “\$720,000,000”; and

(2) in subparagraph (E)(i), by striking “1999, 2000, 2001, 2002, and 2003” and inserting “2006, 2007, 2008, 2009, 2010, and 2011”; and

(3) in subparagraph (F), by striking “1999 through 2003 \$1,000,000,000” and inserting “2006 through 2011, \$720,000,000”.

(g) EFFECTIVE DATE.—The amendments made by this section shall be effective as if enacted on October 1, 2005, and shall apply without fiscal year limitation.

**SA 2238.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ RESPONSIBLE FATHERHOOD PROGRAM.**

(a) RESPONSIBLE FATHERHOOD PROGRAM.—

(1) FINDINGS.—Congress makes the following findings:

(A) Nearly 24,000,000 children in the United States, or 34 percent of all such children, live apart from their biological father.

(B) Sixty percent of couples who divorce have at least 1 child.

(C) The number of children living with only a mother increased from just over 5,000,000 in 1960 to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent.

(D) Forty percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father’s home.

(E) The most important factor in a child’s upbringing is whether the child is brought up in a loving, healthy, supportive environment.

(F) Children who live without contact with their biological father are, in comparison to children who have such contact—

(i) 5 times more likely to live in poverty;

(ii) more likely to bring weapons and drugs into the classroom;

(iii) twice as likely to commit crime;

(iv) twice as likely to drop out of school;

(v) more likely to commit suicide;

(vi) more than twice as likely to abuse alcohol or drugs; and

(vii) more likely to become pregnant as teenagers.

(G) Violent criminals are overwhelmingly males who grew up without fathers.

(H) Between 20 and 30 percent of families in poverty are headed by women who have suffered domestic violence during the past year, and between 40 and 60 percent of women with children receiving welfare were abused sometime during their life.

(I) Responsible fatherhood includes active participation in financial support and child care, as well as the formation and maintenance of a positive, healthy, and nonviolent relationship between father and child and a cooperative relationship between parents.

(J) States should be encouraged to implement programs that provide support for responsible fatherhood, promote marriage, and increase the incidence of marriage, and should not be restricted from implementing such programs.

(K) Fatherhood programs should promote and provide support services for—

(i) loving and healthy relationships between parents and children; and

(ii) cooperative parenting.

(L) There is a social need to reconnect children and fathers.

(M) The promotion of responsible fatherhood and encouragement of healthy 2-parent married families should not—

(i) denigrate the standing or parenting efforts of single mothers or other caregivers;

(ii) lessen the protection of children from abusive parents; or

(iii) compromise the safety or health of the custodial parent;

but should increase the chance that children will have 2 caring parents to help them grow up healthy and secure.

(N) The promotion of responsible fatherhood must always recognize and promote the values of nonviolence.

(O) For the future of the United States and the future of our children, Congress, States, and local communities should assist parents to become more actively involved in their children’s lives.

(P) Child support is an important means by which a parent can take financial responsibility for a child and emotional support is an important means by which a parent can take social responsibility for a child.

(2) FATHERHOOD PROGRAM.—Title I of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) is amended by adding at the end the following:

**“SEC. 117. FATHERHOOD PROGRAM.**

“(a) IN GENERAL.—Title IV (42 U.S.C. 601-679b) is amended by inserting after part B the following:

**“PART C—RESPONSIBLE FATHERHOOD PROGRAM**

**“SEC. 441. RESPONSIBLE FATHERHOOD GRANTS.**

“(a) GRANTS TO STATES TO CONDUCT DEMONSTRATION PROGRAMS.—

“(1) AUTHORITY TO AWARD GRANTS.—

“(A) IN GENERAL.—The Secretary shall award grants to up to 10 eligible States to conduct demonstration programs to carry out the purposes described in paragraph (2).

“(B) ELIGIBLE STATE.—For purposes of this subsection, an eligible State is a State that submits to the Secretary the following:

“(i) APPLICATION.—An application for a grant under this subsection, at such time, in such manner, and containing such information as the Secretary may require.

“(ii) STATE PLAN.—A State plan that includes the following:

“(I) PROJECT DESCRIPTION.—A description of the programs or activities the State will fund under the grant, including a good faith estimate of the number and characteristics of clients to be served under such projects



and how the State intends to achieve at least 2 of the purposes described in paragraph (2).

“(II) COORDINATION EFFORTS.—A description of how the State will coordinate and cooperate with State and local entities responsible for carrying out other programs that relate to the purposes intended to be achieved under the demonstration program, including as appropriate, entities responsible for carrying out jobs programs and programs serving children and families.

“(III) RECORDS, REPORTS, AND AUDITS.—An agreement to maintain such records, submit such reports, and cooperate with such reviews and audits as the Secretary finds necessary for purposes of oversight of the demonstration program.

“(iii) CERTIFICATIONS.—The following certifications from the chief executive officer of the State:

“(I) A certification that the State will use funds provided under the grant to promote at least 2 of the purposes described in paragraph (2).

“(II) A certification that the State will return any unused funds to the Secretary in accordance with the reconciliation process under paragraph (5).

“(III) A certification that the funds provided under the grant will be used for programs and activities that target low-income participants and that not less than 50 percent of the participants in each program or activity funded under the grant shall be—

“(aa) parents of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under part A, D, or E of this title, title XIX, or the Food Stamp Act of 1977; or

“(bb) parents, including an expectant parent or a married parent, whose income (after adjustment for court-ordered child support paid or received) does not exceed 150 percent of the poverty line.

“(IV) A certification that the State has or will comply with the requirements of paragraph (4).

“(V) A certification that funds provided to a State under this subsection shall not be used to supplement or supplant other Federal, State, or local funds that are used to support programs or activities that are related to the purposes described in paragraph (2).

“(C) PREFERENCES AND FACTORS OF CONSIDERATION.—In awarding grants under this subsection, the Secretary shall take into consideration the following:

“(i) DIVERSITY OF ENTITIES USED TO CONDUCT PROGRAMS AND ACTIVITIES.—The Secretary shall, to the extent practicable, achieve a balance among the eligible States awarded grants under this subsection with respect to the size, urban or rural location, and employment of differing or unique methods of the entities that the eligible States intend to use to conduct the programs and activities funded under the grants.

“(ii) PRIORITY FOR CERTAIN STATES.—The Secretary shall give priority to awarding grants to eligible States that have—

“(I) demonstrated progress in achieving at least 1 of the purposes described in paragraph (2) through previous State initiatives; or

“(II) demonstrated need with respect to reducing the incidence of out-of-wedlock births or absent fathers in the State.

“(2) PURPOSES.—The purposes described in this paragraph are the following:

“(A) PROMOTING RESPONSIBLE FATHERHOOD THROUGH MARRIAGE PROMOTION.—To promote marriage or sustain marriage through activities such as counseling, mentoring, disseminating information about the benefits of marriage and 2-parent involvement for children, enhancing relationship skills, education regarding how to control aggressive

behavior, disseminating information on the causes of domestic violence and child abuse, marriage preparation programs, premarital counseling, marital inventories, skills-based marriage education, financial planning seminars, including improving a family's ability to effectively manage family business affairs by means such as education, counseling, or mentoring on matters related to family finances, including household management, budgeting, banking, and handling of financial transactions and home maintenance, and divorce education and reduction programs, including mediation and counseling.

“(B) PROMOTING RESPONSIBLE FATHERHOOD THROUGH PARENTING PROMOTION.—To promote responsible parenting through activities such as counseling, mentoring, and mediation, disseminating information about good parenting practices, skills-based parenting education, encouraging child support payments, and other methods.

“(C) PROMOTING RESPONSIBLE FATHERHOOD THROUGH FOSTERING ECONOMIC STABILITY OF FATHERS.—To foster economic stability by helping fathers improve their economic status by providing activities such as work first services, job search, job training, subsidized employment, job retention, job enhancement, and encouraging education, including career-advancing education, dissemination of employment materials, coordination with existing employment services such as welfare-to-work programs, referrals to local employment training initiatives, and other methods.

“(3) RESTRICTION ON USE OF FUNDS.—No funds provided under this subsection may be used for costs attributable to court proceedings regarding matters of child visitation or custody, or for legislative advocacy.

“(4) REQUIREMENTS FOR RECEIPT OF FUNDS.—A State may not be awarded a grant under this section unless the State, as a condition of receiving funds under such a grant—

“(A) consults with experts in domestic violence or with relevant community domestic violence coalitions in developing such programs or activities; and

“(B) describes in the application for a grant under this section—

“(i) how the programs or activities proposed to be conducted will address, as appropriate, issues of domestic violence; and

“(ii) what the State will do, to the extent relevant, to ensure that participation in such programs or activities is voluntary, and to inform potential participants that their involvement is voluntary.

“(5) RECONCILIATION PROCESS.—

“(A) 3-YEAR AVAILABILITY OF AMOUNTS ALLOTTED.—Each eligible State that receives a grant under this subsection for a fiscal year shall return to the Secretary any unused portion of the grant for such fiscal year not later than the last day of the second succeeding fiscal year, together with any earnings on such unused portion.

“(B) PROCEDURE FOR REDISTRIBUTION.—The Secretary shall establish an appropriate procedure for redistributing to eligible States that have expended the entire amount of a grant made under this subsection for a fiscal year any amount that is returned to the Secretary by eligible States under subparagraph (A).

“(6) AMOUNT OF GRANTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the amount of each grant awarded under this subsection shall be an amount sufficient to implement the State plan submitted under paragraph (1)(B)(ii).

“(B) MINIMUM AMOUNTS.—No eligible State shall—

“(i) in the case of the District of Columbia or a State other than the Commonwealth of Puerto Rico, the United States Virgin Is-

lands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, receive a grant for a fiscal year in an amount that is less than \$1,000,000; and

“(ii) in the case of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, receive a grant for a fiscal year in an amount that is less than \$500,000.

“(7) DEFINITION OF STATE.—In this subsection, the term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(8) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for each of fiscal years 2006 through 2010, \$20,000,000 for purposes of making grants to eligible States under this subsection.

“(b) GRANTS TO ELIGIBLE ENTITIES TO CONDUCT DEMONSTRATION PROGRAMS.—

“(1) AUTHORITY TO AWARD GRANTS.—

“(A) IN GENERAL.—The Secretary shall award grants to eligible entities to conduct demonstration programs to carry out the purposes described in subsection (a)(2).

“(B) ELIGIBLE ENTITY.—For purposes of this subsection, an eligible entity is a local government, local public agency, community-based or nonprofit organization, or private entity, including any charitable or faith-based organization, or an Indian tribe or tribal organization (as defined in section 419(4)), that submits to the Secretary the following:

“(i) APPLICATION.—An application for a grant under this subsection, at such time, in such manner, and containing such information as the Secretary may require.

“(ii) PROJECT DESCRIPTION.—A description of the programs or activities the entity intends to carry out with funds provided under the grant, including a good faith estimate of the number and characteristics of clients to be served under such programs or activities and how the entity intends to achieve at least 2 of the purposes described in subsection (a)(2).

“(iii) COORDINATION EFFORTS.—A description of how the entity will coordinate and cooperate with State and local entities responsible for carrying out other programs that relate to the purposes intended to be achieved under the demonstration program, including as appropriate, entities responsible for carrying out jobs programs and programs serving children and families.

“(iv) RECORDS, REPORTS, AND AUDITS.—An agreement to maintain such records, submit such reports, and cooperate with such reviews and audits as the Secretary finds necessary for purposes of oversight of the demonstration program.

“(v) CERTIFICATIONS.—The following certifications:

“(I) A certification that the entity will use funds provided under the grant to promote at least 2 of the purposes described in subsection (a)(2).

“(II) A certification that the entity will return any unused funds to the Secretary in accordance with the reconciliation process under paragraph (3).

“(III) A certification that the funds provided under the grant will be used for programs and activities that target low-income participants and that not less than 50 percent of the participants in each program or activity funded under the grant shall be—

“(aa) parents of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under part A, D, or E of this title, title XIX, or the Food Stamp Act of 1977; or

“(bb) parents, including an expectant parent or a married parent, whose income (after adjustment for court-ordered child support paid or received) does not exceed 150 percent of the poverty line.

“(IV) A certification that the entity has or will comply with the requirements of paragraph (3).

“(V) A certification that funds provided to an entity under this subsection shall not be used to supplement or supplant other Federal, State, or local funds provided to the entity that are used to support programs or activities that are related to the purposes described in subsection (a)(2).

“(C) PREFERENCES AND FACTORS OF CONSIDERATION.—In awarding grants under this subsection, the Secretary shall, to the extent practicable, achieve a balance among the eligible entities awarded grants under this subsection with respect to the size, urban or rural location, and employment of differing or unique methods of the entities.

“(2) RESTRICTION ON USE OF FUNDS.—No funds provided under this subsection may be used for costs attributable to court proceedings regarding matters of child visitation or custody, or for legislative advocacy.

“(3) REQUIREMENTS FOR USE OF FUNDS.—The Secretary may not award a grant under this subsection to an eligible entity unless the entity, as a condition of receiving funds under such a grant—

“(A) consults with experts in domestic violence or with relevant community domestic violence coalitions in developing the programs or activities to be conducted with such funds awarded under the grant; and

“(B) describes in the application for a grant under this section—

“(i) how the programs or activities proposed to be conducted will address, as appropriate, issues of domestic violence; and

“(ii) what the entity will do, to the extent relevant, to ensure that participation in such programs or activities is voluntary, and to inform potential participants that their involvement is voluntary.

“(4) RECONCILIATION PROCESS.—

“(A) 3-YEAR AVAILABILITY OF AMOUNTS ALLOTTED.—Each eligible entity that receives a grant under this subsection for a fiscal year shall return to the Secretary any unused portion of the grant for such fiscal year not later than the last day of the second succeeding fiscal year, together with any earnings on such unused portion.

“(B) PROCEDURE FOR REDISTRIBUTION.—The Secretary shall establish an appropriate procedure for redistributing to eligible entities that have expended the entire amount of a grant made under this subsection for a fiscal year any amount that is returned to the Secretary by eligible entities under subparagraph (A).

“(5) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for each of fiscal years 2006 through 2010, \$25,000,000 for purposes of making grants to eligible entities under this subsection.

#### “SEC. 442. NATIONAL CLEARINGHOUSE FOR RESPONSIBLE FATHERHOOD PROGRAMS.

“(a) MEDIA CAMPAIGN NATIONAL CLEARINGHOUSE FOR RESPONSIBLE FATHERHOOD.—

“(1) IN GENERAL.—From any funds appropriated under subsection (c), the Secretary shall contract with a nationally recognized, nonprofit fatherhood promotion organization described in subsection (b) to—

“(A) develop, promote, and distribute to interested States, local governments, public agencies, and private entities a media campaign that encourages the appropriate involvement of parents in the life of any child, with a priority for programs that specifically

address the issue of responsible fatherhood; and

“(B) develop a national clearinghouse to assist States and communities in efforts to promote and support marriage and responsible fatherhood by collecting, evaluating, and making available (through the Internet and by other means) to other States information regarding the media campaigns established under section 443.

“(2) COORDINATION WITH DOMESTIC VIOLENCE PROGRAMS.—The Secretary shall ensure that the nationally recognized nonprofit fatherhood promotion organization with a contract under paragraph (1) coordinates the media campaign developed under subparagraph (A) of such paragraph and the national clearinghouse developed under subparagraph (B) of such paragraph with national, State, or local domestic violence programs.

“(b) NATIONALLY RECOGNIZED, NONPROFIT FATHERHOOD PROMOTION ORGANIZATION DESCRIBED.—The nationally recognized, nonprofit fatherhood promotion organization described in this subsection is an organization that has at least 4 years of experience in—

“(1) designing and disseminating a national public education campaign, as evidenced by the production and successful placement of television, radio, and print public service announcements that promote the importance of responsible fatherhood, a track record of service to Spanish-speaking populations and historically underserved or minority populations, the capacity to fulfill requests for information and a proven history of fulfilling such requests, and a mechanism through which the public can request additional information about the campaign; and

“(2) providing consultation and training to community-based organizations interested in implementing fatherhood outreach, support, or skill development programs with an emphasis on promoting married fatherhood as the ideal.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$5,000,000 for each of fiscal years 2006 through 2010 to carry out this section.

#### “SEC. 443. BLOCK GRANTS TO STATES TO ENCOURAGE MEDIA CAMPAIGNS.

“(a) DEFINITIONS.—In this section:

“(1) BROADCAST ADVERTISEMENT.—The term ‘broadcast advertisement’ means a communication intended to be aired by a television or radio broadcast station, including a communication intended to be transmitted through a cable channel.

“(2) CHILD AT RISK.—The term ‘child at risk’ means each young child whose family income does not exceed the poverty line.

“(3) POVERTY LINE.—The term ‘poverty line’ has the meaning given such term in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by such section, that is applicable to a family of the size involved.

“(4) PRINTED OR OTHER ADVERTISEMENT.—The term ‘printed or other advertisement’ includes any communication intended to be distributed through a newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public advertising, but does not include any broadcast advertisement.

“(5) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“(6) YOUNG CHILD.—The term ‘young child’ means an individual under age 5.

“(b) STATE CERTIFICATIONS.—Not later than October 1 of each of fiscal year for which a State desires to receive an allotment under this section, the chief executive officer

of the State shall submit to the Secretary a certification that the State shall—

“(1) use such funds to promote the formation and maintenance of healthy 2-parent married families, strengthen fragile families, and promote responsible fatherhood through media campaigns conducted in accordance with the requirements of subsection (d);

“(2) return any unused funds to the Secretary in accordance with the reconciliation process under subsection (e); and

“(3) comply with the reporting requirements under subsection (f).

“(c) PAYMENTS TO STATES.—For each of fiscal years 2006 through 2010, the Secretary shall pay to each State that submits a certification under subsection (b), from any funds appropriated under subsection (i), for the fiscal year an amount equal to the amount of the allotment determined for the fiscal year under subsection (g).

“(d) ESTABLISHMENT OF MEDIA CAMPAIGNS.—Each State receiving an allotment under this section for a fiscal year shall use the allotment to conduct media campaigns as follows:

“(1) CONDUCT OF MEDIA CAMPAIGNS.—

“(A) RADIO AND TELEVISION MEDIA CAMPAIGNS.—

“(i) PRODUCTION OF BROADCAST ADVERTISEMENTS.—At the option of the State, to produce broadcast advertisements that promote the formation and maintenance of healthy 2-parent married families, strengthen fragile families, and promote responsible fatherhood.

“(ii) AIRTIME CHALLENGE PROGRAM.—At the option of the State, to establish an airtime challenge program under which the State may spend amounts allotted under this section to purchase time from a broadcast station to air a broadcast advertisement produced under clause (i), but only if the State obtains an amount of time of the same class and during a comparable period to air the advertisement using non-Federal contributions.

“(B) OTHER MEDIA CAMPAIGNS.—At the option of the State, to conduct a media campaign that consists of the production and distribution of printed or other advertisements that promote the formation and maintenance of healthy 2-parent married families, strengthen fragile families, and promote responsible fatherhood.

“(2) ADMINISTRATION OF MEDIA CAMPAIGNS.—A State may administer media campaigns funded under this section directly or through grants, contracts, or cooperative agreements with public agencies, local governments, or private entities, including charitable and faith-based organizations.

“(3) CONSULTATION WITH DOMESTIC VIOLENCE ASSISTANCE CENTERS.—In developing broadcast and printed advertisements to be used in the media campaigns conducted under paragraph (1), the State or other entity administering the campaign shall consult with representatives of State and local domestic violence centers.

“(4) NON-FEDERAL CONTRIBUTIONS.—In this section, the term ‘non-Federal contributions’ includes contributions by the State and by public and private entities. Such contributions may be in cash or in kind. Such term does not include any amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, or any amount expended by a State before October 1, 2005.

“(e) RECONCILIATION PROCESS.—

“(1) 3-YEAR AVAILABILITY OF AMOUNTS ALLOTTED.—Each State that receives an allotment under this section shall return to the Secretary any unused portion of the amount allotted to a State for a fiscal year not later than the last day of the second succeeding



fiscal year together with any earnings on such unused portion.

“(2) PROCEDURE FOR REDISTRIBUTION OF UNUSED ALLOTMENTS.—The Secretary shall establish an appropriate procedure for redistributing to States that have expended the entire amount allotted under this section any amount that is—

“(A) returned to the Secretary by States under paragraph (1); or

“(B) not allotted to a State under this section because the State did not submit a certification under subsection (b) by October 1 of a fiscal year.

“(f) REPORTING REQUIREMENTS.—

“(1) MONITORING AND EVALUATION.—Each State receiving an allotment under this section for a fiscal year shall monitor and evaluate the media campaigns conducted using funds made available under this section in such manner as the Secretary, in consultation with the States, determines appropriate.

“(2) ANNUAL REPORTS.—Not less frequently than annually, each State receiving an allotment under this section for a fiscal year shall submit to the Secretary reports on the media campaigns conducted using funds made available under this section at such time, in such manner, and containing such information as the Secretary may require.

“(g) AMOUNT OF ALLOTMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), of the amount appropriated for the purpose of making allotments under this section for a fiscal year, the Secretary shall allot to each State that submits a certification under subsection (b) for the fiscal year an amount equal to the sum of—

“(A) the amount that bears the same ratio to 50 percent of such funds as the number of young children in the State (as determined by the Secretary based on the most current reliable data available) bears to the number of such children in all States; and

“(B) the amount that bears the same ratio to 50 percent of such funds as the number of children at risk in the State (as determined by the Secretary based on the most current reliable data available) bears to the number of such children in all States.

“(2) MINIMUM ALLOTMENTS.—No allotment for a fiscal year under this section shall be less than—

“(A) in the case of the District of Columbia or a State other than the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, 1 percent of the amount appropriated for the fiscal year under subsection (i); and

“(B) in the case of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, 0.5 percent of such amount.

“(3) PRO RATA REDUCTIONS.—The Secretary shall make such pro rata reductions to the allotments determined under this subsection as are necessary to comply with the requirements of paragraph (2).

“(h) EVALUATION.—

“(1) IN GENERAL.—The Secretary shall conduct an evaluation of the impact of the media campaigns funded under this section.

“(2) REPORT.—Not later than December 31, 2008, the Secretary shall report to Congress the results of the evaluation under paragraph (1).

“(3) FUNDING.—Of the amount appropriated under subsection (i) for fiscal year 2006, \$1,000,000 of such amount shall be transferred and made available for purposes of conducting the evaluation required under this subsection, and shall remain available until expended.

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 for each of fiscal years 2006 through 2010 for purposes of making allotments to States under this section.

#### “SEC. 444. NATIONAL RESOURCE CENTER FOR RESPONSIBLE FATHERHOOD

“(a) IN GENERAL.—The Secretary shall contract with a nationally recognized, nonprofit research and education fatherhood organization described in subsection (b) to—

“(1) provide technical assistance and training to public and private agencies and grass roots organizations that promote responsible fatherhood and healthy marriage; and

“(2) develop a clearinghouse of resource materials to assist community-based organizations in developing local responsible fatherhood programs, with an emphasis on training and outcome evaluation.

“(b) NATIONALLY RECOGNIZED NONPROFIT RESEARCH AND EDUCATION FATHERHOOD ORGANIZATION DESCRIBED.—A nationally recognized nonprofit research and education fatherhood organization described in this subsection is an organization that has been in existence for at least 12 years with experience in—

“(1) developing and distributing research-based curriculum that promotes responsible fatherhood and healthy marriage with an emphasis on low-income and noncustodial fathers;

“(2) providing consultation and training to community-based organizations with a track record of working with social service, government, and faith-based organizations; and

“(3) providing direct training to fathers, father figures, and mothers using research-based curriculum in a variety of economic, cultural and family situations.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section, \$1,000,000 for each of fiscal years 2006 through 2010.

#### “SEC. 445. NONDISCRIMINATION.

“The projects and activities assisted under this part shall be available on the same basis to all fathers and expectant fathers able to benefit from such projects and activities, including married and unmarried fathers and custodial and noncustodial fathers, with particular attention to low-income fathers, and to mothers and expectant mothers on the same basis as to fathers.”

“(b) INAPPLICABILITY OF EFFECTIVE DATE PROVISIONS.—Section 116 shall not apply to the amendment made by subsection (a) of this section.”

(3) CLERICAL AMENDMENT.—Section 2 of such Act is amended in the table of contents by inserting after the item relating to section 116 the following new item:

“Sec. 117. Responsible fatherhood program.”

(4) EFFECTIVE DATE.—The amendments made by this subsection shall be effective as if enacted on October 1, 2005, and shall apply without fiscal year limitation.

(b) REDUCTION OF FUNDS.—Notwithstanding any other provision of this Act, the following amounts shall be available for the following purposes and any other amounts appropriated in this Act for such purposes are reduced accordingly:

(1) For Parent Information Resource Centers, \$12,000,000.

(2) For School Leadership programs and activities, \$8,000,000.

(3) For State Grants for Incarcerated Youth, \$0.

**SA 2239.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making ap-

propriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ The Secretary of Health and Human Services shall use amounts appropriated under title II for the purchase of not less than 1,000,000 rapid oral HIV tests.

**SA 2240.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 178, after line 25, insert the following:

#### SEC. \_\_\_\_ SUPPORT FOR NONPROFIT COMMUNITY-BASED ORGANIZATIONS; DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS.—The Secretary of Health and Human Services (referred to in this section as “the Secretary”) may award grants to and enter into cooperative agreements with nongovernmental organizations, to—

(1) provide technical assistance for community-based organizations, which may include—

(A) grant writing and grant management assistance, which may include assistance provided through workshops and other guidance;

(B) legal assistance with incorporation;

(C) legal assistance to obtain tax-exempt status; and

(D) information on, and referrals to, other nongovernmental organizations that provide expertise in accounting, on legal issues, on tax issues, in program development, and on a variety of other organizational topics;

(2) provide information and assistance for community-based organizations on capacity building;

(3) provide for community-based organizations information on and assistance in identifying and using best practices for delivering assistance to persons, families, and communities in need;

(4) provide information on and assistance in utilizing regional intermediary organizations to increase and strengthen the capabilities of nonprofit community-based organizations;

(5) assist community-based organizations in replicating social service programs of demonstrated effectiveness; and

(6) encourage research on the best practices of social service organizations.

(b) SUPPORT FOR STATES.—The Secretary—

(1) may award grants to and enter into cooperative agreements with States and political subdivisions of States to provide seed money to establish State and local offices of faith-based and community initiatives; and

(2) shall provide technical assistance to States and political subdivisions of States in administering the provisions of this Act.

(c) APPLICATIONS.—To be eligible to receive a grant or enter into a cooperative agreement under this section, a nongovernmental organization, State, or political subdivision shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) LIMITATION.—In order to widely disburse limited resources, no community-

based organization (other than a direct recipient of a grant or cooperative agreement from the Secretary) may receive more than 1 grant or cooperative agreement under this section for the same purpose.

(e) **DEFINITION.**—In this section, the term “community-based organization” means a nonprofit corporation or association that has—

(1) not more than 6 full-time equivalent employees who are engaged in the provision of social services; or

(2) a current annual budget (current as of the date the entity seeks assistance under this section) for the provision of social services, compiled and adopted in good faith, of less than \$450,000.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$150,000,000 for fiscal year 2006, and such sums as may be necessary for each of fiscal years 2007 through 2009.

(g) **APPROPRIATION.**—In addition to any other amounts appropriated under this Act for a compassion capital fund, there is appropriated \$55,000,000 for such a fund.

(h) **REDUCTION OF FUNDS.**—Notwithstanding any other provision of this Act, the following amounts shall be available for the following purposes and any other amounts appropriated in this Act for such purposes are reduced accordingly:

(1) For parental information and resource centers carried out under subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965, \$11,000,000.

(2) For Youth Offender Grants, \$0.

**SA 2241.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.**(a) There is established a Congressional Commission on Expanding Social Service Delivery Options (referred to in this section as the “Commission”).

(b)(1) The Commission shall be composed of 10 members, of whom—

(A) 3 shall be appointed by the Speaker of the House of Representatives;

(B) 3 shall be appointed by the majority leader of the Senate;

(C) 2 shall be appointed by the minority leader of the House of Representatives; and

(D) 2 shall be appointed by the minority leader of the Senate.

(2) Members of the Commission shall be appointed from among individuals with demonstrated expertise and experience in social service delivery, including, to the extent practicable, in the area of reform of such delivery.

(3) The appointments of the members of the Commission shall be made not later than 30 days after the date of enactment of this Act.

(4) Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) The Speaker of the House of Representatives shall designate 1 of the members appointed under subsection (b)(1)(A) as a co-

Chairperson of the Commission. The majority leader of the Senate shall designate 1 of the members appointed under subsection (b)(1)(B) as a co-Chairperson of the Commission.

(d)(1) Not later than 60 days after the date of enactment of this Act, the Commission shall hold its first meeting.

(2) The Commission shall meet at the call of either co-Chairperson.

(3) A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(e)(1)(A) The Commission shall conduct a thorough and thoughtful study of all matters relating to increasing beneficiary-selected or beneficiary-directed options for social service delivery in Federal social service programs, including certificate, scholarship, voucher, or other forms of indirect delivery. The Commission shall review all relevant Federal social service programs in existence on the date of the beginning of the study, including the initiatives of the Corporation for National and Community Service. The Commission shall determine program areas, among the Federal programs, for which it is appropriate and feasible to implement full or partial beneficiary-selected or beneficiary-directed options for the delivery of the social services.

(B) In making determinations under subparagraph (A), the Commission shall seek to promote goals of—

(i) expanding consumer and beneficiary choice in Federal social service programs;

(ii) maximizing the use of governmental resources in the Federal programs; and

(iii) minimizing concerns relating to any precedent under the Constitution regarding the participation of faith-based providers in the Federal programs.

(2) The Commission shall develop recommendations on program areas, among the Federal social service programs, for which it is appropriate and feasible to implement full or partial beneficiary-selected or beneficiary-directed options for the delivery of the social services.

(3) Not later than 11 months after the date of enactment of this Act, the Commission shall submit a report to the Speaker and minority leader of the House of Representatives and the majority leader and minority leader of the Senate, which shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

(f)(1) The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out this section.

(2) The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this section. Upon request of either co-Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(3) The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(g)(1) Each member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of

the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Commission. All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(2) The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3)(A) The co-Chairpersons of the Commission, acting jointly, may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional personnel as may be necessary to enable the Commission to perform its duties. The employment of an executive director shall be subject to confirmation by the Commission.

(B) The co-Chairpersons of the Commission, acting jointly, may fix the compensation of the executive director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(4) Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(5) The co-Chairpersons of the Commission, acting jointly, may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(h) The Commission shall terminate 90 days after the date on which the Commission submits its report under subsection (e).

(i)(1) There are authorized to be appropriated to the Commission for fiscal year 2006 such sums as may be necessary to carry out this section.

(2) Any sums appropriated under the authorization contained in this subsection shall remain available, without fiscal year limitation, until expended.

**SA 2242.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **CERTAIN TELEVISION PARTS.**

(a) **IN GENERAL.**—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new headings:

“	9902.85.21	Liquid Crystal Device (LCD) panel assemblies for use in Liquid Crystal Device direct view televisions (provided for in subheading 9013.80.90) .....	Free	No change	No change	On or before 12/31/2008	”
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"	9902.85.22	Liquid Crystal Device (LCD) panel assemblies for use in Liquid Crystal Device direct view televisions (provided for in subheading 9013.80.90) .....	Free	No change	No change	On or before 12/31/2008	
"	9902.85.23	Electron guns actually used for high definition cathode ray tubes (CRT's) (provided for in subheading 8540.91.50) .....	Free	No change	No change	On or before 12/31/2008	"

(b) **EFFECTIVE DATE.**—The amendments made by this section apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

**SA 2243.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the bill, insert the following:

**SEC. \_\_\_\_ . DUTY TREATMENT OF QUALIFYING TELEVISIONS PRODUCED IN A FOREIGN TRADE ZONE.**

(a) **CERTAIN TELEVISION RECEPTION APPARATUS.**—Section 202(a)(2)(A) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3332(a)(2)(A)), is amended by striking "Subparagraph (B)" and inserting "Except for television reception apparatus classified under heading 8528 of the Harmonized Tariff Schedule of the United States, subparagraph (B)."

(b) **EFFECTIVE DATE.**—The amendment made by this section applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

**SA 2244.** Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 156, line 2, strike "Funds." and insert "Funds: *Provided further*, That the Secretary, by not later than January 1, 2006, shall produce and mail a corrected version of the annual notice required under section 1804(a) of the Social Security Act (42 U.S.C. 1395b-2(a)) to each beneficiary described in the second sentence of such section, together with an explanation of the error in the previous annual notice that was mailed to such beneficiaries."

**SA 2245.** Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

**SEC. \_\_\_\_ .** In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$12,375,000,000 for carrying out part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.), in order to fully fund the Federal Government's share of the costs under such part.

**SA 2246.** Mr. KENNEDY (for himself, Mr. HARKIN, and Mr. LAUTENBERG) sub-

mitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 131, line 18, insert before the period the following: " *Provided*, That the Current Employment Survey shall maintain the content of the survey issued prior to August 2005 with respect to the collection of data for the women worker series".

**SA 2247.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

**SEC. \_\_\_\_ . POSTSECONDARY EDUCATION STABILIZATION BOARD.**

(a) **APPROPRIATIONS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, of the amounts made available to the Department of Homeland Security under the heading "Disaster Relief" under the heading "Emergency Preparedness and Response" of Public Law 109-62 (119 Stat. 1991), not less than \$5,000,000,000 shall be available to the Postsecondary Education Stabilization Board, established under this section, to establish an Education Relief Fund for the compensation of postsecondary educational institutions for direct and associated losses due to the impact of Hurricane Katrina or Rita and for recovery initiatives.

(2) **AMOUNTS AVAILABLE UNTIL EXPENDED.**—The amounts appropriated under paragraph (1) shall remain available until expended.

(b) **POSTSECONDARY EDUCATIONAL INSTITUTION.**—In this section, the term "postsecondary educational institution" means—

(1) a public postsecondary institution;

(2) a private nonprofit postsecondary institution, which is accredited by the appropriate State entity; or

(3) a private for profit postsecondary institution determined by the Postsecondary Education Stabilization Board to be eligible for assistance under this section.

(c) **POSTSECONDARY EDUCATION STABILIZATION BOARD.**—

(1) **ESTABLISHMENT.**—There is established a Postsecondary Education Stabilization Board composed of the Secretary of Education (or a designee of the Secretary of Education), and the Secretary of the Treasury (or a designee of the Secretary of the Treasury).

(2) **DUTIES.**—The Postsecondary Education Stabilization Board shall—

(A) establish an Education Relief Fund that includes funds appropriated under this section;

(B) from such Education Relief Fund provide funds to postsecondary educational institutions for direct or indirect losses resulting from the impact of Hurricane Katrina or Rita, and recovery initiatives of such institutions;

(C) give preference to postsecondary educational institutions that demonstrate to the Postsecondary Education Stabilization Board the greatest need based on the institution's direct or indirect losses; and

(D) give consideration to the overall economic and physical impact of the disaster on the State in which the postsecondary educational institution is based.

(d) **USE OF ASSISTANCE.**—Assistance received by a postsecondary educational institution pursuant to this section may be used for—

(1) direct and indirect construction costs and clean-up costs resulting from Hurricane Katrina or Rita;

(2) faculty salaries and incentives for retaining faculty;

(3) educational programs relevant to the recovery effort;

(4) institutional initiatives designed for economic and community revitalization and recovery;

(5) faculty recruitment costs;

(6) costs of lost tuition, revenue, and enrollment; and

(7) debt relief.

(e) **REQUIREMENTS FOR ASSISTANCE DUE TO LOSSES.**—A postsecondary educational institution that desires to receive assistance under this section shall—

(1) submit a sworn financial statement and other appropriate data, documentation, or other evidence requested by the Postsecondary Education Stabilization Board, to the Postsecondary Education Stabilization Board that indicates that the institution incurred losses resulting from the impact of Hurricane Katrina or Rita and the monetary amount of such losses; and

(2) demonstrate that the institution attempted to minimize the costs of any losses by pursuing collateral source compensation from the Federal Emergency Management Agency, the Small Business Administration, and insurance prior to seeking assistance under this section.

(f) **AUDIT.**—The Secretary of Education and the Comptroller General of the United States may audit a statement submitted under subsection (e) and may request any information that the Secretary of Education and Comptroller General determine necessary to conduct such an audit.

(g) **REDUCTION IN ASSISTANCE.**—In calculating assistance to a postsecondary educational institution under this section, the Postsecondary Education Stabilization Board shall calculate a figure that reduces from the monetary amount of losses incurred by such institution, only the amount of collateral source compensation the institution has received from insurance, the Federal Emergency Management Agency, and the Small Business Administration.

(h) **REGULATIONS.**—Not later than 14 days after the date of enactment of this section, the Office of Management and Budget, in consultation with the Postsecondary Education Stabilization Board, shall issue regulations setting forth procedures for an application for assistance under this section and minimum requirements for receiving assistance under this section, including the following:

(1) Online forms to be used in submitting requests for assistance

(2) Information to be included in forms.

(3) Procedures to assist in filing and pursuing assistance.

(i) **TAX CONSEQUENCES.**—

(1) NOT INCOME.—Any assistance received by a postsecondary educational institution under this section shall not be treated as income for the purposes of the Internal Revenue Code of 1986.

(2) TAX EXEMPT.—Any Government bond issued to finance the construction of a public or private postsecondary educational institution shall be considered an exempt facility bond for purposes of the Internal Revenue Code of 1986 and shall not be subject to section 146 of such Code.

(j) WAIVERS.—The Secretary of Education may waive any requirements under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) that are rendered infeasible or unreasonable due to the impact of Hurricane Katrina or Rita, including due diligence requirements and reporting deadlines, for an institution of higher education, eligible lender, or other entity participating in a student assistance program under such title that is located in, or whose operations are directly affected by, an area in which the President has declared that a major disaster exists in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Rita.

**SA 2248.** Ms. LANDRIEU an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

**SEC. \_\_\_\_ . FEDERAL TRIO PROGRAMS FOR HURRICANE AFFECTED STUDENTS.**

(a) ADDITIONAL AMOUNTS FOR FEDERAL TRIO PROGRAMS.—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$5,000,000 to carry out the Federal TRIO programs under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq.) for students affected by Hurricanes Katrina or Rita in their respective institution of higher education.

(b) OFFSET FROM DEPARTMENTAL MANAGEMENT FUNDS.—Notwithstanding any other provision of this Act, amounts made available under this Act for the administration and related expenses for the departmental management for the Department of Labor, the Department of Health and Human Services, and the Department of Education, shall be reduced, on a pro rata basis, by \$5,000,000.

**SA 2249.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II (before the short title), add the following:

**SEC. \_\_\_\_ . FUNDING FOR COMMUNITY HEALTH CENTERS IN HURRICANE KATRINA OR HURRICANE RITA AFFECTED AREAS.**

Notwithstanding any other provision of law, if the amount appropriated under this Act for community health centers is more than the amount appropriated for such centers for fiscal year 2005, then—

(1) 5 percent of such excess amount shall be directed to establishing or expanding community health centers in areas affected by Hurricane Katrina or Hurricane Rita; and

(2) 5 percent of such excess amount shall be directed to community health centers serving patients affected by Hurricane Katrina or Hurricane Rita.

**SA 2250.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II (before the short title), add the following:

**SEC. \_\_\_\_ . MOSQUITO ABATEMENT FOR SAFETY AND HEALTH ACT.**

From amounts appropriated under this Act for the Centers for Disease Control and Prevention for infectious diseases—West Nile Virus, there shall be transferred \$5,000,000 to carry out section 317S of the Public Health Service Act (relating to mosquito abatement for safety and health) with preference given to areas at greater risk of the West Nile Virus because of the effects of Hurricanes Katrina and Rita.

**SA 2251.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

**SEC. \_\_\_\_ . GRANT PROGRAM FOR INSTITUTIONS OF HIGHER EDUCATION AFFECTED BY HURRICANES KATRINA AND RITA.**

(a) AUTHORIZATION.—The Secretary of Education shall award grants to eligible institutions of higher education to enable such institutions to carry out the activities described in subsection (d).

(b) DEFINITION OF ELIGIBLE INSTITUTION OF HIGHER EDUCATION.—In this section, the term “eligible institution of higher education” means an institution of higher education that is located in the Hurricanes Katrina and Rita affected area, as determined by the Secretary of Education, and, as a result of such location, has had a disruption of service at the institution.

(c) APPLICATION AND DEMONSTRATION.—An eligible institution of higher education that desires to receive a grant under this section shall—

(1) submit an application to the Secretary of Education at such time, in such manner, and accompanied by such information as the Secretary may reasonably require;

(2) demonstrate the extent to which services at the institution have been disrupted; and

(3) display the need for short-term support.

(d) USE OF FUNDS.—An eligible institution of higher education that receives a grant under this section shall use the grant funds to maintain operations at the institution, including paying salaries of employees of the institution and covering other expenses.

(e) FUNDING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of the amounts made available to the Department of Homeland Security under the heading “DISASTER RELIEF” under the heading “EMERGENCY

PREPAREDNESS AND RESPONSE” of Public Law 109–62 (119 Stat. 1991), not less than \$400,000,000 shall be available for grants under this section.

(2) AVAILABLE UNTIL EXPENDED.—The amounts appropriated under paragraph (1) shall remain available until expended.

**SA 2252.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_\_\_ —ASSISTANCE TO REBUILD AFFECTED COMMUNITIES**  
**SEC. \_\_\_\_ . ASSISTANCE TO SCHOOLS ENROLLING EVACUATED STUDENTS.**

(a) PURPOSE.—It is the purpose of this section to provide financial assistance to eligible entities that serve students who are displaced by Hurricane Katrina or Hurricane Rita and enroll in the elementary or secondary schools (including charter schools) served by the eligible entities or in the eligible entities (as the case may be).

(b) PROGRAM AUTHORIZED.—From amounts appropriated under subsection (k), the Secretary of Education shall award grants to eligible entities to enable the eligible entities to award subgrants under subsection (g) and to carry out the activities described in subsection (h).

(c) ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(1) in Louisiana or Mississippi, a State educational agency;

(2) in a State other than Louisiana or Mississippi, a local educational agency that enrolls a student who is displaced by Hurricane Katrina or Hurricane Rita; or

(3) an elementary school or secondary school funded by the Bureau of Indian Affairs that enrolls a student who is displaced by Hurricane Katrina or Hurricane Rita.

(d) CONDITIONS OF GRANT.—

(1) DURATION OF GRANT.—Each grant awarded under this section shall be for the period beginning on the date of the award and ending on the last day of the 2005–2006 school year.

(2) RETURN OF NON-OBLIGATED FUNDS.—An eligible entity receiving a grant under this section shall return to the Secretary of Education any grant funds that have not been expended or obligated during the grant period.

(e) STUDENT COUNT.—An eligible entity desiring to receive a grant under this section shall—

(1) submit to the Secretary of Education a count of the number of students enrolled in the eligible entity or in the elementary and secondary schools served by the eligible entity (as the case may be) who were displaced by Hurricane Katrina or Hurricane Rita; and

(2) maintain the records necessary to document the student enrollment count under paragraph (1).

(f) AMOUNT OF GRANTS.—

(1) IN GENERAL.—As soon as feasible after receiving an enrollment count described in subsection (e)(1) from an eligible entity, the Secretary of Education shall award a grant in the amount described in paragraph (2) to such eligible entity.

(2) AMOUNT OF GRANTS.—The amount of a grant described in this paragraph shall be equal to the product of—

(A) the number of students enrolled in the eligible entity or in the elementary and secondary schools served by the eligible entity

(as the case may be) who were displaced by Hurricane Katrina or Hurricane Rita; multiplied by

(B) 90 percent of the average per-pupil expenditure for elementary and secondary education in the State in which the eligible entity is located, as determined by the Secretary of Education using data from the most recent year for which satisfactory data are available, except that the amount described in this subparagraph shall not exceed \$7,500.

(3) **RATABLE REDUCTION.**—If the amount appropriated for grants under this section is insufficient to pay the grants to all eligible entities in the amount calculated under paragraph (2), the grants to all eligible entities shall be ratably reduced.

(g) **USE OF FUNDS BY STATE EDUCATIONAL AGENCIES.**—

(1) **IN GENERAL.**—An eligible agency described in subsection (c)(1) that receives a grant under this section shall use grant funds to—

(A) award subgrants, in the amount described in paragraph (2), to local educational agencies within the State that serve students who were displaced by Hurricane Katrina or Hurricane Rita, to enable the local educational agencies to carry out the activities described in subsection (h); and

(B) to carry out the activities described in paragraph (3).

(2) **AMOUNT OF SUBGRANTS.**—The amount of a subgrant made to a local educational agency under paragraph (1)(A) shall be equal to—

(A) the product of—

(i) the average per-pupil expenditure for elementary and secondary education in the local educational agency; multiplied by

(ii) the number of students enrolled in schools served by the local educational agency who were displaced by Hurricane Katrina or Hurricane Rita; or

(B) an amount calculated by an alternate methodology, if the use of such methodology is approved by the Secretary of Education.

(3) **USE OF REMAINING FUNDS.**—From any grant funds awarded to an eligible agency described in subsection (c)(1) that remain after the eligible agency has awarded subgrants in accordance with paragraph (1), the eligible agency may use such remaining funds to carry out activities that assist local educational agencies serving schools that are closed as a result of Hurricane Katrina or Hurricane Rita, in order to reopen such schools as quickly and effectively as possible. Such activities may include—

(A) arranging for the temporary facilities necessary to operate educational programs while permanent facilities are being rebuilt or repaired;

(B) purchasing equipment and materials to replace those items destroyed or damaged by Hurricane Katrina or Hurricane Rita;

(C) paying the cost of student transportation;

(D) recruiting or retraining teachers or other school personnel to serve in reopened schools; and

(E) providing nonfinancial assistance to students and their families when such students return to the areas affected by Hurricane Katrina or Hurricane Rita or reenroll in schools that are affected by Hurricane Katrina or Hurricane Rita.

(h) **USES OF FUNDS BY BUREAU OF INDIAN AFFAIRS SCHOOLS AND LOCAL EDUCATIONAL AGENCIES.**—An eligible entity described in paragraph (2) or (3) of subsection (c) that receives a grant under this section, or a local educational agency that receives a subgrant under subsection (g)(1), shall use the grant funds to pay for the costs related to educating students enrolled in the schools served by the eligible entity or in the eligi-

ble entity (as the case may be), which costs may include—

(1) teacher and staff salaries;

(2) building maintenance;

(3) materials and equipment;

(4) student transportation;

(5) special services and instruction, such as—

(A) English language acquisition services and programs for students with limited English proficiency;

(B) services for children with disabilities; and

(C) mental health counseling for children displaced by Hurricane Katrina or Hurricane Rita;

(6) after-school programs;

(7) supplemental educational services; and

(8) early childhood programs.

(i) **ACCOUNTABILITY.**—An eligible entity that receives a grant under this section shall take appropriate measures to ensure the proper use of, and accounting for, all grant funds received by the eligible entity under this section.

(j) **EXPIRATION OF AUTHORITY.**—On June 30, 2006, the authority described in subsection (b) shall expire and all funds under this section that are not expended or obligated by such date shall be transferred to the general fund of the Treasury.

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$1,860,000,000 for fiscal year 2006.

#### **SEC. —. ASSISTANCE FOR THE ENROLLMENT OF EVACUATED STUDENTS IN PRIVATE SCHOOLS.**

(a) **AUTHORITY.**—From funds appropriated under subsection (j), the Secretary of Education shall make one-time, emergency grants to State educational agencies to enable the State educational agencies to reimburse the parents or guardians of students who were displaced by Hurricane Katrina or Hurricane Rita and who are attending a private school in the State that is accredited or licensed or otherwise operates in accordance with State law.

(b) **LENGTH OF GRANT.**—

(1) **DURATION OF GRANT.**—Each emergency grant awarded under this section shall be for the period beginning on the date of the award and ending on the last day of the 2005–2006 school year.

(2) **RETURN OF NON-OBLIGATED FUNDS.**—Each State educational agency that receives a grant under this section shall return to the Secretary of Education any grant funds that have not been expended or obligated during the grant period.

(c) **APPLICATIONS.**—A State educational agency that desires to receive an emergency grant under this section shall submit an application to the Secretary of Education at such time, in such manner, and containing such information as the Secretary may require, including—

(1) the number of students who were displaced by Hurricane Katrina or Hurricane Rita and whose parents or guardians the State educational agency expects to reimburse under this section; and

(2) a detailed description of the procedures the State educational agency plans to use—

(A) to provide reimbursements to the parents or guardians of the displaced students described in paragraph (1); and

(B) to ensure fiscal accountability for any funds received by the State educational agency under this section.

(d) **AMOUNT OF GRANTS.**—

(1) **IN GENERAL.**—For each State educational agency, the amount of an emergency grant under this section shall be equal to the product of—

(A) the number of students who were displaced by Hurricane Katrina or Hurricane

Rita and whose parents or guardians will be reimbursed by the State educational agency, as determined by the Secretary of Education; multiplied by

(B) 90 percent of the average per-pupil expenditure for elementary and secondary education in the State, as determined by the Secretary of Education using data from the most recent year for which satisfactory data are available, except that the amount described in this subparagraph shall not exceed \$7,500.

(2) **RATABLE REDUCTION.**—If the amount appropriated for emergency grants under this section is insufficient to pay the emergency grants to all State educational agencies in accordance with paragraph (1), the emergency grants to all State educational agencies shall be ratably reduced.

(e) **USES OF FUNDS.**—Each State educational agency receiving an emergency grant under this section—

(1) shall use the grant funds to provide reimbursements, once per semester (or lesser portion of the school year, if the State so decides), directly to the parents or guardians of the displaced students, for the cost of those students' tuition, fees, and transportation expenses, if any, at any private school of the parents' or guardians' choice in the State for that semester (or lesser period), in accordance with subsection (f);

(2) shall ensure that a parent or guardian who receives funds under this section use those funds only for the purposes described in paragraph (1);

(3) may use not more than 1 percent of the grant funds for the administrative expenses of carrying out this subsection; and

(4) may contract with a public or private nonprofit agency or entity to administer and operate the reimbursement program under this subsection.

(f) **AMOUNT OF PAYMENTS TO PARENTS OR GUARDIANS.**—

(1) **IN GENERAL.**—The maximum reimbursement that a State educational agency may provide to an eligible parent or guardian on behalf of a student who is displaced by Hurricane Katrina or Hurricane Rita under this section shall be equal to the amount described in subsection (d)(1)(B).

(2) **ELIGIBILITY REQUIREMENTS FOR REIMBURSEMENT.**—

(A) **CRITERIA FOR ENROLLING SCHOOLS.**—A parent of a student who is displaced by Hurricane Katrina or Hurricane Rita is eligible for a reimbursement by the State educational agency under subsection (e) if the private school in which the parent enrolls the student—

(i) is accredited or licensed or otherwise operates in accordance with State law; and

(ii) has in place a refund policy for the refund of tuition and fees (and transportation expenses, if any) for displaced students that is at least as favorable as the refund policy applicable to other students at the school.

(B) **CRITERIA FOR PARENTS OR GUARDIANS.**—In addition to the requirements of subparagraph (A), the Secretary of Education shall establish criteria, which may include the use of criteria involving family income or assets, to determine the eligibility for or amount of assistance provided under this section to a parent or guardian of a student who is displaced by Hurricane Katrina or Hurricane Rita.

(g) **BY-PASS.**—If a State educational agency is unable or unwilling to carry out this section, the Secretary of Education may make such arrangements as the Secretary determines appropriate to carry out this section on behalf of the students attending private schools in such State who are displaced by Hurricane Katrina or Hurricane Rita.

(h) **RULE OF CONSTRUCTION.**—Section 308 of the DC School Choice Incentive Act of 2003

(Public Law 108-199) shall apply to the program under this section in the same manner as such section applies to the program under such Act.

(i) **EXPIRATION OF AUTHORITY.**—On June 30, 2006, the authority described in subsection (a) shall expire and all grant funds that are not expended or obligated by such date shall be transferred to the general fund of the Treasury.

(j) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$488,000,000 for fiscal year 2006.

#### **SEC. \_\_\_\_ . IMMEDIATE AID TO RESTART EDUCATIONAL OPERATIONS.**

(a) **PURPOSE.**—It is the purpose of this section—

(1) to provide immediate services or assistance to institutions of higher education, local educational agencies, and eligible private schools that serve an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita;

(2) to assist school district administrators and personnel of such institutions, agencies, or eligible private schools who are working to restart operations; and

(3) to facilitate the reopening of the institutions, elementary schools and secondary schools served by such agencies, or eligible private schools and the enrollment of students in such institutions or schools as soon as possible.

(b) **PAYMENTS AUTHORIZED.**—From amounts appropriated to carry out this section, the Secretary of Education is authorized to make payments to State educational agencies or State agencies for higher education that serve an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita, to enable such agencies to—

(1) restart schools located in an area in which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita;

(2) provide assistance to institutions of higher education located in such an area; and

(3) provide assistance to eligible private schools in accordance with subsection (c).

(c) **ASSISTANCE TO ELIGIBLE PRIVATE SCHOOLS.**—

(1) **IN GENERAL.**—From the payments provided by the Secretary of Education under subsection (b) and after timely and meaningful consultation with appropriate private school officials, a State educational agency that serves an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita, shall provide to eligible private schools special educational services or benefits for the students served by such eligible private schools on the equitable basis described in paragraph (3).

(2) **SECULAR, NEUTRAL, NONIDEOLOGICAL.**—The educational services or other benefits provided under paragraph (1), including materials and equipment, shall be secular, neutral, and nonideological.

(3) **EQUITY.**—Educational services and other benefits provided for eligible private school students under paragraph (1) shall be equitable in comparison to the educational services and other benefits provided for public school students under this section.

(4) **PUBLIC CONTROL OF FUNDS.**—The control of funds provided to an eligible private

school under paragraph (1), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property.

(d) **SUPPLEMENT NOT SUPPLANT.**—Funds made available under this section shall be used to supplement, and not supplant, any funds made available through the Federal Emergency Management Agency or through a State.

(e) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE PRIVATE SCHOOL.**—The term “eligible private school” means a private elementary or secondary school that desires to participate in the program under this section and is located in an area in which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), related to Hurricane Katrina or Hurricane Rita.

(2) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$1,000,000,000 for fiscal year 2006.

#### **SEC. \_\_\_\_ . FUNDING.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, of the amounts made available to the Department of Homeland Security under the heading “DISASTER RELIEF” under the heading “EMERGENCY PREPAREDNESS AND RESPONSE” of Public Law 109-62 (119 Stat. 1991), not less than \$3,300,000,000 shall be available to the heads of the appropriate departments or agencies of the Federal Government to carry out the programs and activities authorized under this title.

(b) **AVAILABLE UNTIL EXPENDED.**—The amounts appropriated under subsection (a) shall remain available until expended.

**SA 2253.** Mr. GREGG (for himself and Mr. GRASSLEY) proposed an amendment to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 158, strike lines 12 through 21 and insert the following:  
bus Budget Reconciliation Act of 1981, \$3,159,000,000.

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$300,000,000, to remain available until expended: *Provided*, That these funds are for the unanticipated home energy assistance needs of one or more States, as authorized by section 2604(e) of the Act: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

#### **GENERAL PROVISION—REDUCTION AND RESCISSION**

**SEC. \_\_\_\_ .** (a) Amounts made available in this Act, not otherwise required by law, are reduced by 0.92 percent.

(b) The reduction described in subsection (a) shall not apply to amounts made available under this Act—

(1) for the account under the heading “LOW-INCOME HOME ENERGY ASSISTANCE”; or

(2) for the account under the heading “REFUGEE AND ENTRANT ASSISTANCE” (with respect to amounts designated as emergency requirements).

**SEC. \_\_\_\_ .** (a) There is rescinded an amount equal to 0.92 of the budget authority provided in any prior appropriation Act for fiscal year 2006, for any discretionary account described in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account described in subsection (a) to the extent that it relates to budget authority described in subsection (a), and to each item of budget authority described in subsection (a); and

(2) within each such account or item, to each program, project, and activity (as delineated in the appropriation Act or accompanying report for the relevant fiscal year covering such account or item).

(c) The rescission described in subsection (a) shall not apply to budget authority provided as described in subsection (a)—

(1) for the account under the heading “LOW-INCOME HOME ENERGY ASSISTANCE”; or

(2) for the account under the heading “REFUGEE AND ENTRANT ASSISTANCE” (with respect to amounts designated as emergency requirements).

**SA 2254.** Mr. DODD (for himself, Mr. KENNEDY, Mrs. CLINTON, Mrs. MURRAY, Mr. KERRY, Mr. LAUTENBERG, Mr. CORZINE, Mr. DURBIN, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 162, line 1, strike “\$9,000,832,000” and insert “\$9,153,832,000”.

On page 162, line 7, strike “\$6,874,314,000” and insert “\$7,027,314,000”.

**SA 2255.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), add the following:

#### **SEC. \_\_\_\_ . ADDITIONAL FUNDING FOR THE MATHEMATICS AND SCIENCE PARTNERSHIPS PROGRAM.**

In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$271,440,000 for the mathematics and science partnerships program.

**SA 2256.** Mr. OBAMA (for himself, Mr. BYRD, Mr. BAYH, Ms. MIKULSKI, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_ .** Amounts appropriated in this Act for the Centers for Disease Control and Prevention to upgrade State and local capacity grants and cooperative agreements for



pandemic flu preparedness activities shall be increased by \$122,000,000.

**SA 2257.** Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

SEC. 517. None of the funds made available in this Act may be used by the Secretary of Health and Human Services to withhold, suspend, disallow, or otherwise deny Federal financial participation under section 1903(a) of the Social Security Act for adult day health care services or medical adult day care services, as defined under a State medicaid plan approved on or before 1982, if such services are provided consistent with such definition and the requirements of such plan, or to withdraw Federal approval of any such State plan provision. Notwithstanding any other provision of law, the preceding sentence shall apply without fiscal year limitation.

**SA 2258.** Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

**SEC. \_\_\_\_.** **DEFINITION OF INDIAN STUDENT COUNT.**

Section 117(h) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2327(h)) is amended by striking paragraph (2) and inserting the following:

**“(2) INDIAN STUDENT COUNT.—**

**“(A) IN GENERAL.—**The term ‘Indian student count’ means a number equal to the total number of Indian students enrolled in each tribally-controlled postsecondary vocational and technical institution, as determined in accordance with subparagraph (B).

**“(B) DETERMINATION.—**

**“(i) ENROLLMENT.—**For each academic year, the Indian student count shall be determined on the basis of the enrollments of Indian students as in effect at the conclusion of—

**“(I) in the case of the fall term, the third week of the fall term; and**

**“(II) in the case of the spring term, the third week of the spring term.**

**“(ii) CALCULATION.—**For each academic year, the Indian student count for a tribally-controlled postsecondary vocational and technical institution shall be the quotient obtained by dividing—

**“(I) the sum of the credit-hours of all Indian students enrolled in the tribally-controlled postsecondary vocational and technical institution (as determined under clause (i)); by**

**“(II) 12.**

**“(iii) SUMMER TERM.—**Any credit earned in a class offered during a summer term shall be counted in the determination of the Indian student count for the succeeding fiscal term.

**“(iv) STUDENTS WITHOUT SECONDARY SCHOOL DEGREES.—**

**“(I) IN GENERAL.—**A credit earned at a tribally-controlled postsecondary vocational and

technical institution by any Indian student who has not obtained a secondary school degree (or the recognized equivalent of such a degree) shall be counted toward the determination of the Indian student count if the institution at which the student is enrolled has established criteria for the admission of the student on the basis of the ability of the student to benefit from the education or training of the institution.

**“(II) PRESUMPTION.—**The institution shall be presumed to have established the criteria described in subclause (I) if the admission procedures for the institution include counseling or testing that measures the aptitude of a student to successfully complete a course in which the student is enrolled.

**“(III) CREDITS TOWARD SECONDARY SCHOOL DEGREE.—**No credit earned by an Indian student for the purpose of obtaining a secondary school degree (or the recognized equivalent of such a degree) shall be counted toward the determination of the Indian student count under this clause.

**“(v) CONTINUING EDUCATION PROGRAMS.—**Any credit earned by an Indian student in a continuing education program of a tribally-controlled postsecondary vocational and technical institution shall be included in the determination of the sum of all credit hours of the student if the credit is converted to a credit-hour basis in accordance with the system of the institution for providing credit for participation in the program.”.

**SA 2259.** Mr. SMITH (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. In addition to amounts provided in this title for the AIDS Drug Assistance Program within the Health Resources and Services Administration, there shall be appropriated an additional \$74,000,000 for such program.

**SA 2260.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. (a) This section may be cited as the “Diversity Visa Fairness Act of 2005”.

(b)(1) Section 204(a)(1)(I)(ii) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)(ii)) is amended by striking subclause (II) and inserting the following:

**“(II) An alien who qualifies, through random selection, for a visa under section 203(c) or adjustment of status under section 245(a) shall remain eligible to receive such visa or adjustment of status beyond the end of the specific fiscal year for which the alien was selected if the alien—**

**“(aa) properly applied for such visa or adjustment of status during the fiscal year for which the alien was selected; and**

**“(bb) was notified by the Secretary of State, through the publication of the Visa Bulletin, that the application was authorized.”.**

(2)(A) Notwithstanding any other provision of law, a visa shall be available for an alien under section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)) if—

(i) such alien was eligible for and properly applied for an adjustment of status under section 245 of such Act (8 U.S.C. 1255) during any of the fiscal years 1998 through 2005;

(ii) the application submitted by such alien was denied because personnel of the Department of Homeland Security or the Immigration and Naturalization Service failed to adjudicate such application during the fiscal year in which such application was filed;

(iii) such alien moves to reopen such adjustment of status applications pursuant to procedures or instructions provided by the Secretary of Homeland Security or the Secretary of State; and

(iv) such alien has continuously resided in the United States since the date of submitting such application.

(B) A visa made available under subparagraph (A) may not be counted toward the numerical maximum for the worldwide level of set out in section 201(e) of the Immigration and Nationality Act (8 U.S.C. 1151(e)).

(3) The amendment made by paragraph (1) shall take effect on October 1, 2005.

**SA 2261.** Mr. COLEMAN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. \_\_\_\_\_. (a) There is established the Federal Youth Development Council (in this section referred to as the “Council”) composed of—

(1) the Attorney General, the Secretary of Agriculture, the Secretary of Labor, the Secretary of Health and Human Services, Secretary of Housing and Urban Development, the Secretary of Education, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Director of National Drug Control Policy, the Director of the Office of Management and Budget, the Assistant to the President for Domestic Policy, the Director of the U.S.A. Freedom Corps, the Deputy Assistant to the President and Director of the Office of Faith-Based and Community Initiatives, and the Chief Executive Officer of the Corporation for National and Community Service, and other Federal officials as directed by the President, to serve for the life of the Council; and

(2) such additional members as the President, in consultation with the majority and minority leadership of the House of Representatives and the Senate, shall appoint from among representatives of faith-based organizations, community based organizations, child and youth focused foundations, universities, non-profit organizations, youth service providers, State and local government, and youth in disadvantaged situations, to serve for terms of 2 years and who may be reappointed by the President for a second 2-year term.

(b) The Chairperson of the Council shall be designated by the President.

(c) The Council shall meet at the call of the Chairperson, not less frequently than 4 times each year. The first meeting shall be not less than 6 months after the date of enactment of this Act.

(d) The duties of the Council shall be—

(1) to ensure communication among agencies administering programs designed to

serve youth, especially those in disadvantaged situations;

(2) to assess the needs of youth, especially those in disadvantaged situations, and those who work with youth, and the quantity and quality of Federal programs offering services, supports, and opportunities to help youth in their educational, social, emotional, physical, vocational, and civic development;

(3) to set objectives and quantifiable 5-year goals for such programs;

(4) to make recommendations for the allocation of resources in support of such goals and objectives;

(5) to identify target populations of youth who are disproportionately at risk and assist agencies in focusing additional resources on them;

(6) to develop a plan, including common indicators of youth well-being, and assist agencies in coordinating to achieve such goals and objectives;

(7) to assist Federal agencies, at the request of one or more such agency, in collaborating on model programs and demonstration projects focusing on special populations, including youth in foster care, migrant youth, projects to promote parental involvement, and projects that work to involve young people in service programs;

(8) to solicit and document ongoing input and recommendations from—

(A) youth, especially those in disadvantaged situations, by forming an advisory council of youth to work with the Council;

(B) national youth development experts, parents, faith and community-based organizations, foundations, business leaders, youth service providers, and teachers;

(C) researchers; and

(D) State and local government officials; and

(9) to work with Federal agencies to conduct high-quality research and evaluation, identify and replicate model programs, and provide technical assistance, and, subject to the availability of appropriations, to fund additional research to fill identified needs.

(e)(1) The Chairperson, in consultation with the Council, shall employ and set the rate of pay for a Director and any necessary staff to assist in carrying out its duties.

(2) Upon request of the Council, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist it in carrying out its duties under this section.

(f)(1) The Council may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(2) Upon the request of the Council, the Administrator of General Services shall provide to the Council, on a reimbursable basis, the administrative support services necessary for the Council to carry out its responsibilities under this section.

(g)(1) Subject to the availability of appropriations, the Council may provide technical assistance and make grants to States to support State councils for coordinating State youth efforts.

(2) Applicants for grants shall be States. Applications for grants under this subsection shall be submitted at such time and in such form as determined by the Council.

(3) Priority for grants will be given to States that—

(A) have already initiated an interagency coordination effort focused on youth;

(B) plan to work with at least 1 locality to support a local youth council for coordinating local youth efforts;

(C) demonstrate the inclusion of nonprofit organizations, including faith-based and community-based organizations, in the work of the State council; and

(D) demonstrate the inclusion of young people, especially those in disadvantaged situations, in the work of the State council.

(h) Not later than 1 year after the Council holds its first meeting, and on an annual basis for a period of 4 years thereafter, the Council shall transmit to the President and to Congress a report of the findings and recommendations of the Council. The report shall—

(1) include a comprehensive compilation of recent research and statistical reporting by various Federal agencies on the overall wellbeing of youth;

(2) include the assessment of the needs of youth and those who serve them, the goals and objectives, the target populations of at-risk youth, and the plan called for in subsection (d);

(3) report on the link between quality of service provision, technical assistance and successful youth outcomes and recommend ways to coordinate and improve Federal training and technical assistance, information sharing, and communication among the various programs and agencies serving youth;

(4) include recommendations to better integrate and coordinate policies across agencies at the Federal, State, and local levels, including recommendations for legislation and administrative actions;

(5) include a summary of actions the Council has taken at the request of Federal agencies to facilitate collaboration and coordination on youth serving programs and the results of those collaborations, if available; and

(6) include a summary of the input and recommendations from the groups identified in subsection (d)(8).

(i) The Council shall terminate 60 days after transmitting its fifth and final report pursuant to subsection (h).

(j) There is authorized to be appropriated for fiscal years 2006 through 2010 such sums as may be necessary to carry out this section.

**SA 2262.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III (before the short title), insert the following:

**SEC. \_\_\_\_ INCREASED FUNDING FOR EDUCATION PROGRAMS SERVING HISPANIC STUDENTS.**

(a) **MIGRANT EDUCATION.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$9,600,000 for the education of migratory children under part C of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6391 et seq.).

(b) **ENGLISH LANGUAGE ACQUISITION.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$10,300,000 for English language acquisition programs under part A of title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6811 et seq.).

(c) **HEP/CAMP.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$5,700,000 for the High School Equivalency Program and the College Assist-

ance Migrant Program under section 418A of the Higher Education Act of 1965 (20 U.S.C. 1070d-2).

(d) **SCHOOL DROPOUT PREVENTION.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$5,000,000 for school dropout prevention programs under part H of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6551 et seq.).

(e) **ESL/CIVICS PROGRAMS.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$6,500,000 for English as a second language programs and civics education programs under the Adult Education Act (20 U.S.C. 9201 et seq.).

(f) **PARENT ASSISTANCE AND LOCAL FAMILY INFORMATION CENTERS.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$13,000,000 for the Parent Assistance and Local Family Information Centers under subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7273 et seq.).

(g) **HISPANIC-SERVING INSTITUTIONS.**—In addition to amounts otherwise appropriated under this Act, there are appropriated, out of any money in the Treasury not otherwise appropriated, \$9,900,000 for Hispanic-serving institutions under title V of the Higher Education Act of 1965 (20 U.S.C. 1101 et seq.).

**SA 2263.** Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** None of the funds made available under this Act to carry out the Energy Employees Occupational Illness Compensation Program Act may be used for the Advisory Board on Radiation and Worker Health unless—

(1) the Advisory Board, in order to improve the radiation dose reconstruction program carried out by the Office of Compensation and Analysis Support of the National Institute of Occupational Safety and Health, and to promptly correct identified quality problems through the audit process of the Advisory Board, promptly develops a formal comment resolution process with a process for the tracking of findings and issues;

(2) the Advisory Board reviews and acts on site profile and dose reconstruction audit reports supplied by the Advisory Board's audit contractor within 90 days of the date on which such audit reports are received; and

(3) the National Institute on Occupational Safety and Health prepares and submits a corrective action plan with specific deadlines within 90 days of the action of the Advisory Board under paragraph (2).

**SA 2264.** Mr. COLEMAN (for himself and Mr. BAYH) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 156, line 2, insert before the period the following: “: *Provided further*, That the Secretary of Health and Human Services shall publish in the Federal Register, not later than 30 days after the date of enactment of this Act, a notice of intent that adoption of ICD-10-CM and ICD-10-PCS will occur not later than October 1, 2006, and that compliance with such coding systems will be required with respect to transactions occurring on or after October 1, 2009: *Provided further*, That the Secretary shall take such steps as may be necessary to ensure that procedure codes are promptly available for assignment and use under ICD-9-CM until such time as such ICD-9-CM is replaced as a code set standard with ICD-10-PCS”.

**SA 2265.** Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. From amounts appropriated under this title, the Secretary of Health and Human Services shall make available \$5,000,000 to fund grants for innovative programs to address dental workforce needs under section 340G of the Public Health Service Act (42 U.S.C. 246g). Amounts made available under this section shall be transferred from the General Departmental Management account under the heading Office of the Secretary.

**SA 2266.** Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. From amounts appropriated under this title, the Secretary of Health and Human Services shall make available \$5,000,000 to fund grants for innovative programs to address dental workforce needs under section 340G of the Public Health Service Act (42 U.S.C. 246g). Amounts made available under this section shall be transferred from the amount provided as administrative funds for the Centers for Medicare & Medicaid Services under the heading Program Management.

**SA 2267.** Ms. COLLINS (for herself and Mr. FEINGOLD) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. \_\_\_\_\_. From amounts appropriated under this title, the Secretary of Health and Human Services shall make available \$5,000,000 to fund grants for innovative pro-

grams to address dental workforce needs under section 340G of the Public Health Service Act (42 U.S.C. 246g).

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Thursday, November 3, 2005 at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of:

Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, Department of Energy.

Edward F. Sproat, III, of Pennsylvania, to be Director, Office of Civilian Radioactive Waste Management, Department of Energy.

For further information, please contact Judy Pensabene of the committee staff at (202) 224-1327.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 25, 2005, at 9:30 a.m., in open session to consider the following nominations: Honorable John J. Young, Jr., to be Director of Defense Research and Engineering; Mr. J. Dorrance Smith, to be Assistant Secretary of Defense for Public Affairs; Dr. Delores M. Etter, to be Assistant Secretary of the Navy for Research, Development and Acquisition; General Burwell B. Bell, III, USA, for reappointment to the grade of General and to be Commander, United Nations Command/Combined Forces Command, and Commander, United States Forces Korea; and Lieutenant General Lance L. Smith, USAF, for appointment to the grade of General and to be Commander, United States Joint Forces Command and Supreme Allied Commander transformation.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 25, 2005, at 10 a.m., to conduct a hearing on the nomination of Mr. Matthew Slaughter, of New Hampshire, to be a member of the Council of Economic Advisers; Ms. Katherine Baicker, of New Hampshire, to be a member of the Council of Economic Advisers; Mr. Orlando J. Cabrera, of Florida, to be an Assistant Secretary

of Housing and Urban Development; Ms. Gigi Hyland, of Virginia, to be a member of the National Credit Union Administration Board; and Mr. Rodney E. Hood, of North Carolina, to be a member of the National Credit Union Administration Board.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, October 25, 2005, at 10 a.m. The purpose of this hearing is to receive testimony on S. 1829, to repeal certain sections of the act of May 26, 1936, pertaining to the Virgin Islands; S. 1830, to amend the compact of Free Association Amendments Act of 2003, and for other purposes; and S. 1831, to convey certain submerged land to the Commonwealth of the Northern Mariana Islands, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FINANCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in open Executive Session during the session on Tuesday 25, 2005, at 9:30 a.m., to conduct a markup to achieve the Committee's budget reconciliation instructions to reduce the growth of outlays as contained in H. Con. Res. 95.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, October 25, 2005, at 9:30 a.m. to hold a hearing on Nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON FOREIGN RELATIONS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, October 25, 2005, at 2:15 p.m. to hold a Business Meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

### COMMITTEE ON THE JUDICIARY

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “Saudi Arabia: Friend or Foe in the War on Terror?” on Tuesday, October 25, 2005 at 9:30 a.m. in the Dirksen Senate Office Building Room 226.

### Witness List

### Presentation

Yigal Carmon, Middle East Media Research Institute, Washington, DC; Presentation on Saudi Television.

Panel I: Daniel Glaser, Deputy Assistant Secretary for Terrorist Financing and Financial Crimes, United